NATIONAL ARCHIVES MICROFILM PUBLICATIONS

MICROCOPY

215

ROLL

26

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Microcopy No. 215

MINUTES OF THE SUPREME COURT OF THE UNITED STATES

Roll 26

October 9, 1911 - June 22, 1914

THE NATIONAL ARCHIVES
NATIONAL ARCHIVES AND RECORDS SERVICE
GENERAL SERVICES ADMINISTRATION

Washington: 1954

NOTES ON ROLL 26

The three volumes reproduced on this roll have the following backstrip titles: (1) "Minutes / 1911 / Supreme Court / of the / United States"; (2) "Minutes / 1912 / Supreme Court / of the / United States"; and (3) "Minutes / 1913 / Supreme Court / of the / United States." They contain the minutes of the Supreme Court of the United States from October 9, 1911, to June 22, 1914.

The first volume contains the minutes of the Court from October 9, 1911, to June 11, 1912; the second, from October 14, 1912, to June 16, 1913; and the third, from October 13, 1913, to June 22, 1914.

VOLUME

1911

At the Capital of the United States, in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the second Monday of October (being the ninth day of the same month) in the year of our Lord one thousand nine hundred and eleven and of the Independence of the United States the one hundred and thirty-sixth, the Supreme Court of the United States met agreeably to law.

Present:

The Honorable Edward D. White, Chief Justice
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar. } Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

The Chief Justice announced that owing to the absence from the city, of the President of the United States, the usual visit to him would be omitted; that the Court would receive motions noticed for today that were ready for submission,

tomorrow pursuant to the twenty-sixth rule.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that C. L. Thomas, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Fletcher Dobyns, Esquire, of Chicago, State of Illinois, and Arthur W. Solover, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Myer Cohen, it is ordered that Abraham Israel, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William L. Houston, it is ordered that William Harrison, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf
Mr. H. H. Glassie, it is ordered that Charles
Murphy, Esquire, of Washington, District of
lumbia, be admitted to practice as an attorney
d counsellor of this Court, and he was sworn
ordingly.

n motion first made to the Court in this behalf
Mr. William Stone Abert, it is ordered that
ger Lewis, Esquire, of New York City, be admit-
to practice as an attorney and counsellor of
Court, and he was sworn accordingly.

n motion first made to the Court in this behalf
Mr. Frank Spragg Terry, it is ordered that
lliam W. Magruder, Esquire, of Starkville,
te of Mississippi, be admitted to practice as
attorney and counsellor of this Court, and he
sworn accordingly.

n motion first made to the Court in this behalf
Mr. Paca Oberlin, it is ordered that Roderic
ce and J. Howard Jones, Esquires, of Newark,
te of Ohio, be admitted to practice as attorneys
counsellors of this Court, and they were sworn
ordingly.

motion first made to the Court in this behalf
Mr. Charles F. Carusi, it is ordered that
thew E. O'Brien, Esquire, of Washington, Dis-

attorney and counsellor of this Court, and
sworn accordingly.

On motion first made to the Court in th
by Mr. Alfred P. Thom, it is ordered th
Caldwell, Esquire, of Trenton, and Joh
Gaut, Esquire, of Nashville, State of Ten
Eugene R. Black, Esquire, of Atlanta, St
Georgia, and Oscar L. Horn, Esquire o
Angeles, State of California, be admitted t
as attorneys and counsellors of this Co
they were sworn accordingly.

On motion first made to the Court in th
by Mr. Julius C. Gunter, it is ordered tha
min Griffith, Esquire, of Denver, State of
be admitted to practice as an attorney a
sellor of this Court, and he was sworn ac

On motion first made to the Court in th
by Mr. Simon Lyon, it is ordered that C
M. Rice, Esquire, of St. Louis, State of
be admitted to practice as an attorney a
counsellor of this Court, and he was su
cordingly.

On motion first made to the Court in th
by Mr. W. H. Green, it is ordered that J. T.
Esquire, of Charlotte, State of North Caro
be admitted to practice as an attorney a
counsellor of this Court, and he was

accordingly.

On motion first made to the Court in this behalf by Mr. Edmund F. Trabue, it is ordered that Edward W. Hines, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George W. Jolly, it is ordered that Ben. D. Ringo, Esquire of Owensboro, State of Kentucky be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. T. Bledsoe, it is ordered that W. W. Hyams, Esquire, of Tulsa, State of Oklahoma be admitted to prdctice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Henry A. Lindsley, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Douglass, it is ordered that

of Washington, District of Columbia, be
ted to practice as attorneys and coun
of this Court, and they were sworn ac

On motion first made to the Court by
Browne, it is ordered that John E. Ca
Esquire, of Los Angeles, State of Califor
admitted to practice as an attorney an
sellor of this Court, and he was sworn
ingly.

On motion first made to the Court in
half by Mr. Archibald King, it is ordere
Russell N. Robbins, Esquire, of New York
be admitted to practice as an attorney a
counsellor of this Court, and he was swor
cordingly.

On motion first made to the Court in thi
by Mr. E. Beverly Slater, it is ordered tha
Thomas S. Felder, Esquire, of Macon, Ge
Georgia, be admitted to practice as an att
and counsellor of this Court, and he was
accordingly.

On motion first made to the Court in thi
by Mr. Edward P. Smith, it is ordered that
M. Hopewell, Esquire, of Tekamah, State
braska, be admitted to practice as an att
and counsellor of this Court, and he was
accordingly.

532	Yeung How, sometimes known as Yeung Chan, vs. Appellant. Hart H. North, United States Commissioner of Immigration, etc., et al	The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Lehmann and Mr. Assistant Attorney General Harr in support of the same and Mr. Carroll Cook, Mr. A. A. Birney and Mr. N. F. Woodard in opposition thereto. A motion for oral argument on the motion to dismiss or affirm or to advance the cause was submitted to the consideration of the Court by Mr. Carroll Cook, Mr. A. A. Birney and Mr. N. F. Woodard in support of the same.
733	The Cherokee Nation and The United States vs. Appellants Moses Whitmire, Trustee, etc. advance this cause.	Mr. Solicitor General Lehmann, of counsel for the appellants, submitted to the consideration of the Court a motion to
384	Gabriel Diaz vs. Plaintiff in Error, The United States	On motion of Mr. Solicitor General Lehmann, in behalf of counsel for the plaintiff in error, It is ordered by the Court

passed, subject to the provisions of section rule 26.

P. L. Sherman and D. N. Piniey, vs. Libbey Goodwin — Plaintiffs in Error. — 23. — Mr. Freder Lehmann, is of counsel, ed the dea L. Sherman

the plaintiffs in error in this cause, an the Court to make Roger Sherman, a sor in trust of the said P. L. Sherman, a party plaintiff in error herein. Whereu It is now here ordered by the Court tha said Roger Sherman, successor in trus L. Sherman, deceased, be, and he is her made a party plaintiff in error in this

The State of Arkansas, Complainant. vs. The State of Tennessee. — 8. Original — On motion J. A. Fowl behalf of co for the defen

the time to answer in this cause is exten the first day of January, 1912

Morris Canal & Banking Co., et al., vs. David Baird et al. — Plaintiffs in Error. — 6. — On mot Mr. Gill line, of for the p tiff in

it ordered by the Court that this cause be the same is hereby, continued, per stipula

of counsel.

713. Elizabeth Cassiday et al., vs. Plaintiffs in Error. The People of the State of Colorado on the relation of the Attorney General of Colorado. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Henry A. Lindsley, Mr. F. D. McKenney and Mr. George L. Richmond in support of the same, and Mr. Henry J. Hersey in opposition thereto.

808. Oceanic Steam Navigation Co., vs. Petitioner. Edith Watkins. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Frederic D. McKenney in behalf of Mr. Charles C. Burlingham in support of the same.

130. John A. Knott et al. vs. Appellants, Chicago, Burlington & Quincy Railroad Co.

134. Chicago, Burlington & Quincy Railroad Co., vs. Appellant. John A. Knott et al, &c.

The motion to advance these cases was submitted to the consideration of the Court by Mr. Elliott W. Mayor for Knott et al., in support of the motion, and by Mr. Frank Hagerman and

thereto.

543. George A. Luria. vs. The United States. Appellant. Mr. Myer Cohen, in behalf of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

On Appeals et al. 632 to 705. Cross Appeals. John A. Knott et al., Railroad and Warehouse Commissioners, Appellants. vs. The St. Louis & San Francisco Railroad Co., et al. The motion to advance these cases was submitted to the consideration of the Court by Mr. Frank Hagerman for the Railroad Companies in support of the same and by Mr. Elliott W. Major and Mr. Sanford B. Ladd for Knott et al., in opposition thereto.

635 636. 637 638 639.

424. William G. Sluted, et al. vs. Samuel A. Abby et al. Appellants. The motion to advance this cause was submitted to the consideration of the Court by Mr. William C. Prentiss, and Mr. Jesse G. Northcutt, of counsel for the appellants, in support of the same, and by Mr. Solicitor General Lehmann, of counsel for the appellees, in opposition thereto.

204.

J. L. Murphy,
vs. Plaintiff in Error,
The People of the State
of California.

The motion to advance this cause was submitted to the consideration of the Court by Mr. John E. Carson and Mr. Lynn Helm, of counsel for the defendants in error, in support of the same and by Mr. Levy Mayer and Mr. A. S. Austrian of counsel for the plaintiff in error in opposition thereto.

W. S. Bryan, Appt. vs. Bliss-Cook Oak Co., et al
W. S. Bryan, Appt. vs. Edwin S. Laymon
W. S. Bryan, Appt. vs. William Bagnell.
Marcus G. Rider, Appt. vs. Bliss-Cook Oak Co. et al
J. L. Moser, Appt. vs. Edwin S. Laymon

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on printed arguments by Mr. George B. Rose and Mr. John B. Jones, of counsel for the appellees in Nos. 635 and 638; by Mr. George B. Rose, Mr. U. M. Rose, Mr. W. E. Hemingway, Mr. J. F. Loughborough and Mr. Elmer H. Adams, of counsel for the appellees in Nos. 636 and 637; by Mr. George B. Rose, Mr. U. M. Rose, Mr. W. E. Hemingway and Mr. J. F. Loughborough, of counsel for the appellee in No. 637, in support of the same and by Mr. Julian Laughlin, of counsel for the appellants in opposition thereto.

752. William J. Haygadorn et al., Petitioners. vs. Street Grading District No. 60 of Little Rock, Arkansas. The petitio writ of certi herein was ted to the c eration of t by Mr. G. B. Rose, Mr. U. M. Rose, Mr. W. E. K way and Mr. J. F. Loughborough in suppo same.

802. The George N. Pierce Co., Petitioner, vs. Wells Fargo & Co. The petition writ of certi herein was ted to the co ation of the Court on printed arguments b John J. Hamilton, Mr. George E. Hamilton Mr. John W. Yerkes in support of the same by Mr. Charles W. Pierson and Mr. Willia Green in opposition thereto.

286. The Interstate Commerce Commission, Appellant vs. F. A. Seavey & Co., et al. On motion Evans Bro behalf of M Dunlap, le hereby gran

287. Union Pacific Railroad Co., Appellant, vs. F. A. Seavey & Co. et al. file a brief as amicus

520. Madera Water Works, vs. Appellant. City of Madera et al. Mr. Evans Browne in behalf of Mr. Frank N. Short, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

643. Charles E. Hamilton, as Receiver, etc., vs. Petitioner. Ferdinand L. Lott. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick L. Siddons in support of the same, and Mr. John G. Johnson and Mr. Abraham Israel in opposition thereto.

706. The People of the State of New York, vs. Petitioners, The Central Trust Co. of New York et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William A. McQuaid in support of the same, and Mr. William D. Guthrie and Mr. John M. Bowers in opposition thereto.

751. Jacob Yungklaus, vs. Petitioner, John N. Klipper et al. The petition for a writ of certiorari herein was submitted to the consideration of

F. Lerch in behalf of Mr. E. C. Million in of the same, and by Mr. Alfred L. Blac position thereto.

John M. Stone Cotton Mills, Petitioner
810 vs.
F. J. Fleitmann et al. &c.

The petition fo writ of certiora in was submi the consideral the Court on f arguments by Mr. W. W. Murruder and M Charlton H. Alexander in support of the and by Mr. Marcellus Green and Mr. A. C. Rounds in opposition thereto.

Chicago, St. Paul, Minne-apolis & Omaha Railway Co. Petitioner
523 vs.
Bud R. Latta.

Mr. Waller W well and Mr. Brome, of co for the respo submitted to consideration of the Court a motion to ado this cause.

T. O. Helm et al., Appellants,
546 vs.
J. H. Zarecor et al.

On motion of Mr. Grant, it is ordere the Court th this cause b the same is advanced, pursuant to the 32d rule.

395. T. O. Helm et al., Appellants, vs. J. H. Zarecor et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John M. Gaut and Mr. Alexander F. Humphrey, of counsel for the appellants, and Mr. W. C. Caldwell, of counsel for the appellees.

656. The American National Bank of Nashville, Tennessee, Plaintiff in Error, vs. A. L. Miller, Agent, etc. The motion for leave to supply sixteen copies of the record as printed for use of the court below in lieu of the twenty-five copies required by the rule of this Court was submitted to the consideration of the Court by Mr. John M. Gaut in behalf of Mr. John J. Vertrees, of counsel for the plaintiff in error, and Mr. Sloss D. Baxter, of counsel for the defendant in error.

792. Henry Heide, Petitioner, vs. Panayiotis Panoulias. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George Whitefield Betts, Jr., in support of the same and Mr. Ferdinand E. M. Billowa in opposition thereto.

819. The United States of America, Plaintiff in Error, vs. American Druggists Syndicate

Mr. Ch
Murph
couns
defend

error, having filed in open court, the fol
certificate, to-wit:

"Circuit Court of the United States
Eastern District of New Yor

I, B. Lincoln Benedict, Clerk of the Ci
Court of the United States for the Eastern
of New York, do hereby certify that in a
cause pending in said Court, wherein
United States of America was plaintiff,
American Druggists Syndicate was def
a final judgment was rendered by said
on the 6th day of April, A. D. 1911, in fav
the said American Druggists Syndicate,
against the said United States of America
that on the 29th day of April, A. D. 1911, sa
United States of America sued out a writ
to said Circuit Court, directed to remove
cause to the Supreme Court of the United St

In testimony whereof, I
unto subscribe my nam
affix the seal of said C
Court, at Brooklyn, thi
day of September, A. D.
B. Lincoln Benedi
Clerk

Seal

moved the Court to docket and dismiss
cause pursuant to the 9th rule. And it ap

ing to the Court that the plaintiff in error has failed to have its cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Eastern District of New York be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice White.

481. Edward B. Jordan, Collector of Internal Revenue vs. James W. Roach. / 482. Edward B. Jordan, Collector of Internal Revenue vs. Charles H. and William P. Ross. — The petition for writs of certiorari to bring up the entire record and cause was submitted to the consideration of the Court by Mr. Charles F. Carusi in behalf of Mr. Howard T. Walden for Roach et al., with leave to the Solicitor General to file brief in opposition thereto on or before Friday next.

668. Railroad Commission of Louisiana, et al., Appellants, vs. Texas & Pacific Railway Co. et al. — Mr. E. Howard McCaleb, of counsel for the appellants, submitted to the con-

Court a motion to advance this cause

City of Louisville.
761 vs. Appellant.
Cumberland Telephone & Telegraph Co.

The motion to a
this cause wa
mitted to the c
ration of the
by Mr. C. B. Be
counsel for the appellant in support of the m
and by Mr. William L. Granbery and M
under P. Humphrey, of counsel for the appel
opposition thereto

Samuel Loeb.
237 vs. Plaintiff in Error.
The State of Georgia.

Mr. Thomas S.
of counsel for
fendant in e
submitted to
sideration of the Court a motion to advan
cause

Joe Darsey.
782 vs. Plaintiff in Error.
The State of Georgia

Mr. Thomas S.
of counsel for
fendant in e
submitted to
sideration of the Court a motion to advan
cause.

Joe Darsey.
783 vs. Plaintiff in Error.
The State of Georgia

Mr. Thomas
der, in behal
counsel for th
tiff in error, s
ted to the consideration of the Court a mot

for leave to the plaintiff in error to proceed in forma pauperis herein.

773. James J. Hooker et al., &c., Appellants, vs. Martin A. Knapp et al. Interstate Commerce Commissioners, et al.

774. The Eagle White Lead Co., et al., Appellants, vs. The Interstate Commerce Commission et al.

Mr. Francis B. James, of counsel for the appellants, submitted to the consideration of the Court motions to advance these cases.

280. The United States, Appellant, vs. The Fidelity Trust Co. et al.

On motion of Mr. A. R. Seven, of counsel for the appellee. It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of section 7 of rule 26.

804. Martha Brion, Petitioner vs. The United States.

805. Ramonde Chomel, Petitioner, vs. The United States.

The petition for writs of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Elijah N. Zoline in support of the same, and Mr. Assistant Attorney General Harr in opposition thereto.

652. Charles Wilson, etc., vs. The United States, Appellant. Mr. Elijah M. Zo... counsel for the ap... submitted to the c... eration of the Cou... motion to advance this cause, and for a st... pending the appeal.

566 The Troy Bank of Troy, Indiana, et al., vs. G. A. Whitehead & Co., Appellants. On motion of ... George W. Jolly, ... counsel for the ... pellants, It i... dered by the C... that this cause be, and the same is hereb... vanced pursuant to the 32d rule.

566 The Troy Bank of Troy, Indiana, et al., vs. G. A. Whitehead & Co., Appellants. This cause wa... mitted to the ... sideration of ... Court on the ... and printed a... ments by Mr. George W. Jolly, of counsel f... appellants, and Mr. Ben D. Ringo, of Co... for the appellees.

Y, Original The State of Wyoming, vs. The State of Colorado et al., Complainant. On motion of ... Julius C. Gu... of counsel for ... defendants, ... now here ordered by the Court that the ... to plead in this cause be extended for ni... days from this date.

670. The Prudential Insurance Co. of America, vs. John T. Moore, Administrator, etc. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward D. Duffield in support of the same, and Mr. Minter Wimberly, Mr. Jesse C. Harris and Mr. Alexander Akerman in opposition thereto.

784. Southern Pacific Co. et al., vs. Thomas K. Campbell, et al., Commissioners, etc., et al. Appellants. The motion to advance this cause was submitted to the consideration of the Court by Mr. Maxwell Evarts for the appellants, in support of the motion, and by Mr. A. M. Crawford and Mr. Clyde B. Aitchison for the appellees, in opposition thereto.

793. The Pennsylvania Steel Co., vs. Henry M. Sussman. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. H. Snowden Marshall in support of the same, and Mr. Roger Lewis and Mr. Bronson Winthrop in opposition thereto.

487. Southern Railway Co., Plaintiff in Error; vs. D. L. Reid et al. Mr. Alfred C... of counsel for ... Plaintiff in ... submitted t...

consideration of the Court a motion to ... this cause to be heard with cause No 8... case.

94. The Illinois Central Railroad Co., Plaintiff in Error; vs. The United States. In Error to ... States Circu... of Appeals ... Sixth Circu...

This cause having been called to the atte... the Court by Mr. Edmund F. Trabue, of ... for the plaintiff in error, and he having m... the Court to dismiss the writ of error in ... cause. Therefore, in pursuance of said mo... is now here ordered and adjudged by this ... that the writ of error in this cause be, and ... same is hereby, dismissed.

Per Mr. Chief Justice ...

663. The Title Guaranty & Security Co., Petitioner, vs. The United States to the use of General Electric Co. The petition fo... writ of certio... herein was su... ted to the con... ation of the C... on printed a...

ments by Mr. Russell A. Robbins and M... James Russell Soley in support of the sam...

H. B. Gill in opposition thereto.

292. Salvatore L. Rocca vs. George F. Thompson. Plaintiff in Error. On motion of Mr. Charles A. Conlon, in behalf of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of rule 26.

790. F. A. Garrimone et al., vs. The United States. Petitioners. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James L. Gerry in support of the same, and Mr. Solicitor General Lehmann in opposition thereto.

575. Michael H. Glenson et al., vs. J. I. Wood, County Treasurer, etc., et al. Plaintiffs in Error, Mr. Charles Hart of counsel for the defendants in error, submitted to the consideration of the Court a motion to advance this cause.

George W. Choate et al.,
Plaintiffs in Error.
vs.
M. E. Trapp, Secretary, etc., et al.

No. 109

Mr. Charles West, of counsel for the defendants in error, submitted to the consideration of the Court a motion to advance this cause.

Ben F. Harrison, Secretary of State, etc.,
Appellant.
vs.
St. Louis & San Francisco Railroad Co.

No. 623.

Mr. Charles West, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

Leo Meyer, as Auditor of the State of Oklahoma,
Appellant.
vs.
Wells, Fargo & Co.

No. 624

Mr. Charles West, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

Edward Rinnerman et al.,
Petitioners.
vs.
The United States of America.

No. 709

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Nathan A. Gibson in support of the same, and Mr. Solicitor General Lehmann in opposition thereto.

The Rubber Tire Wheel Co. et al., Petitioners. vs. The Goodyear Tire & Rubber Co., et al.

511. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Lawrence Maxwell, Mr. Frederick P. Fish, Mr. Paul A. Staley, Mr. Borden Bowman and Mr. Charles W. Stapleton in support of the same, and Mr. H. A. Toulmin in opposition thereto.

Cudahy Packing Co. Plaintiff in Error, vs. C. E. Denton, as Secretary of State of the State of Kansas.

16. In Error to the Supreme Court of the State of Kansas.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, and in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

Grant's Pass Land & Water Co.,
vs. Appellant.
The City of Los Angeles

Appeal from the Circuit Court of the United States for the Southern District of California.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed. Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, clerk's costs in this Court to be paid by the appellant.

Per Mr. Chief Justice White.

William N. Hunter, Jr.,
vs. Plaintiff in Error.
Evans Henson et al.

In Error to the Supreme Court of the State of Alabama.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

270. Herbert S. Hadley, Elliott W. Major, Cornelius Roach et al., Petitioners. vs. Arthur C. Huidekoper

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

It appearing to the court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed with cost.

Per Mr. Chief Justice White

303. The Mutual Benefit Life Insurance Co., Plaintiff in Error, vs. Susan M. Morgan, George D. Morgan, Henry S. Madden, and John D. Burns, as Surviving Trustees under the last will and testament of Dayton S. Morgan, deceased.

In Error to the Supreme Court of the State of New York.

It appearing to the court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is

to be paid by the plaintiff in error.

Per Mr. Chief Justice White.

Jesse L. Carlton, A. L. Shapleigh et al., Plaintiffs in Error, vs. Frank W. Rushing, as Judge of the County Court of Mc Intosh County, Oklahoma, et al. — In Error to the Supreme Court of the State of Oklahoma.

It appearing to the Court that a motion of counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

William Lewin and Israel Lewin, partners, doing business as The Lewin Scrap Iron Co., Plaintiffs in Error, vs. Kate Caspar, Administratrix of the estate of Tony Caspar, deceased. — In Error to the Supreme Court of the State of Kansas.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation

it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, clerk's costs in this Court to be paid by the plaintiffs in error.

Per Mr. Chief Justice White.

C. A. Tilles,
Appellant.
vs.
E. F. Regenhardt,
United States Marshal,
etc., et al.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice White.

Proclamation being made, the Court is adjourned

Tuesday, October 10th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
John M. Harlan
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. C. Campbell, it is ordered that L. R. Garrett, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Luther M. Walter, it is ordered that Clifford Thorne, Esquire, Washington, John A. Henderson, Esquire, of Indianola, and Dwight N. Lewis, Esquire, of Des Moines, State of Iowa, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George T. Simpson, it is ordered that William J. Stevenson, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter C. Clephane, it is ordered that Louis F. J. Hepburn, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter F. Rogers, it is ordered that L. M. Kyle, Esquire, of East Palestine, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that William L. Wemple, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Tuesday, October 10th. 1911, continued.

John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri, et al.,
130 vs. Appellants.
Chicago, Burlington & Quincy Railroad Co.

Chicago, Burlington & Quincy Railroad Co.,
134. vs. Appellant.
John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri, et al.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on Monday, January 8, 1912.

Per Mr. Chief Justice White

John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri, et al.,
On Appeals 672 & 705. vs. Appellants.
Cross Appeals. The St. Louis & San Francisco Railroad Co., and various other Railroad Companies.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on Monday, January 8, 1912.

Per Mr. Chief Justice White

Louisville & Nashville Railroad Co.,
507. vs. Appellant.
Adam T. Siler et al., as the Railroad Commission of Kentucky.
The Chesapeake & Ohio Railway Co.
364. vs. Plaintiff in Error.
W. H. Conley, Attorney General et al.
The Oregon Railroad & Navigation Co.,
424. vs. Appellant.
Thomas K. Campbell et al.
George T. Simpson et al.,
599. vs. Appellants.
David C. Shepard.
George T. Simpson et al.,
600 vs. Appellants.
Emma B. Kennedy et al.,
Executors, etc., et al.
George T. Simpson et al.,
601 vs. Appellants.
William Shillaber.

It is ordered by the Court that these cause be, and the same are hereby, re assigned for argument on Monday, January 8, 1912.

The United States of America.
520 vs. Appellant.
The Union Pacific Railroad Co. et al.

Mr. Solicitor General Lehmann, of counsel for the appellant,

motion to advance this cause.

761. The City of Louisville. vs. Appellant. Cumberland Telephone & Telegraph Co. Mr. C. B. Blakey, of counsel for the appellant, submitted to the consideration of the Court suggestions in support of the motion to advance this cause.

768. The United States Express Co. vs. Plaintiff in Error. The State of Minnesota Mr. George T. Simpson, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

772. Thomas H. Pickford and John A. Walter, vs. Appellants, Henry M. Talbott. A petition for leave to collect the judgment herein pending the appeal was submitted to the consideration of the Court by Mr. John Ridout, of counsel for the appellee in support of the motion and by Mr. H. Prescott Gatley, Mr. Henry E. Davis and Mr. Samuel Maddox, of counsel for the appellants in opposition thereto, and leave was granted Mr. John Ridout to file an additional brief on or before Friday next.

3, Original. Commonwealth of Virginia, complainant, vs. State of West Virginia. The motion to proceed with the further hearing and determination of this cause was submitted to the consideration of the Court by Mr. Samuel W. Williams, of counsel for the complainant in support of the motion, and by Mr. W. G. Conley, of counsel for the defendant in response thereto.

190. The United States, petitioner, vs. Leopold Bauch. On motion of Mr. Wade H. Ellis, of counsel for the respondent, it is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of section 4 of rule 6.

477. The United States, appellant, vs. The Reading Co., et al.

485. The Temple Iron Co., appellant, vs. The United States.

514. The Reading Co., et al., appellants, vs. The United States.

Mr. J. C. McReynolds, of counsel for The United States, submitted to the consideration of the Court a motion to strike from the files the brief for the Central Railroad Company of New Jersey and the Lehigh & Wilkes-Barre Coal Co.,

177.	The United States, Appellant. vs. The Reading Co. et al.	On motion of Mr. J. C. McReynolds, of counsel for The United States, four hours are allowed to each side in the argument of these appeals
185	The Temple Iron Co., Appellant. vs. The United States.	
214	The Reading Co. et al., Appellants. vs. The United States.	

The argument of these cases was commenced by Mr. J. C. McReynolds of counsel for The United States, and continued by Mr. Everett Warren, of counsel for The Temple Iron Co.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Howard Boyd, it is ordered that Frank H. Cottier, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. T. Bledsoe, it is ordered that E. C. Patton, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

that George A. Malcolm, Esquire, of Manila, Philippine Islands, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Johnson, it is ordered that Edgar A Boles, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

177. The United States, vs. Appellant. The Reading Co. et al

115 The Temple Iron Co., vs. Appellant. The United States

The Reading Co. et al., vs. Appellants, The United States.

The argument of these cases was continued by Mr. James N. Torrey, of counsel for the Enterprise Coal Company et al.; by Mr. Adelbert Moot, of counsel for the Erie Railroad Company et al; by Mr. John G. Johnson of counsel for The Reading Company et al., and concluded by Mr. J. C. McReynolds, of counsel for The United States

247. Southern Pacific Co., vs. Plaintiff in Error, The Commonwealth of Kentucky, ex rel. George N. Alexander et al., Revenue Agents

The argument of this cause was commenced by Mr. Alexander Pope Humphrey

of counsel for the plaintiff in error, and continued by Mr. Matt. J. Holt, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Thursday, October 12th. 1911.

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal.
James D. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Henry E. Colton, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Pope Humphrey, it is ordered that T. M. Daily, Esquire, of Frankfort, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

247. Southern Pacific Co.
vs. Plaintiff in Error.
The Commonwealth of Kentucky ex rel. George H. Alexander et al., Revenue Agents

The argument of this cause was continued by Mr. Matt. J. Holt, of counsel for the defendants in error;

and concluded by Mr. Maxwell Evarts, of counsel for the plaintiff in error.

361. Robert Gilland.
vs. Plaintiff in Error.
The United States

This cause was argued by Mr. Louis W. Crofoot, of counsel for the plaintiff in error, and by Mr. Solicitor General Lehmann of counsel for The United States

404. J. S. Mullen et al.,
vs. Appellants.
The United States

405 Alfred F. Goat et al.,
vs. Appellants,
The United States.

434 The Deming Investment Co.,
vs. Appellant.
The United States.

496. P. E. Heckman et al.,
vs. Appellants,
The United States.

On motion of Mr. Solicitor General Lehmann, of counsel for The United States, one hour additional time is allowed to each side in the argument of these cases.

The argument of these cases was commenced by Mr. J. C. Stone, of counsel for the appellants, and continued by Mr. Robert J. Boone, of counsel for the appellants, and Mr. Solicitor General Lehmann, of counsel for The United States,

counsel for the appellee.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal,
James H. McKenney Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Ernest Knaebel, it is ordered that Ralph Harbzee, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly;

On motion first made to the Court in this behalf by Mr. Samuel Herrick, it is ordered that James M. Hanley, Esquire, of Mandan, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

1104. J. S. Mullen et al.,
vs. Appellants,
The United States.
Alfred F. Goat et al.,
1105 vs. Appellants,
The United States.
The Deming Investment Co.,
1134 vs. Appellant.
The United States.
P. E. Heckman et al.,
1136 vs. Appellants,
The United States.

The argument of these cases was continued by Mr. Solicitor General Lehmann, Mr. A. M. Frost and Mr. Harlow A. Leekley, of counsel for The United States, and concluded by Mr. S. T. Bledsoe, of counsel for the appellants.

The Interstate Commerce Commission,
285 vs. Appellant.
Harry J. Diffenbaugh et al.
The Interstate Commerce Commission,
286. vs. Appellant.
F. N. Peavey & Co., et al.
Union Pacific Railroad Co.,
287 vs. Appellant.
F. N. Peavey & Co., et al.

The argument of these cases was commenced by Mr. P. J. Farrell, of counsel for The Interstate Commerce Commission, and continued by Mr. Frank Hagerman, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

The Chief Justice said:

Gentlemen of the Bar — It is my painful duty to announce the death of Mr. Justice Harlan. The Court will stand adjourned until Wednesday morning next without the transaction of business of any kind today.

Proclamation being made the Court is adjourned until Wednesday

Wednesday, October 18th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frank Hagerman, it is ordered that John T. Harding, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. C. Dyer, it is ordered that Victor A. Fackenhainer, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Hargrove, it is ordered

that William L. Stephens, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Edward P. Smith, it is ordered that Byron G. Burbank, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Emory A. Smith, Esquire, of Fort Worth, and William D. Lockhart, Esquire, of Galveston, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. William H. Cromwell, it is ordered that Bertram G. Foster, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John M. Coit, it is ordered that Charles S. Jones, Esquire, of Montclair, State of New Jersey, be admitted to practice

sellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Conrad F. Syme, it is ordered that Thomas Reath, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

367. The United States, Plaintiff in Error, vs. Herman F. Garbish. On motion of Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, it is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of rule 26.

330. The United States of America, Plaintiff in Error, vs. St. Louis National Stock Yards. In Error to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, and a stipulation of counsel to affirm the judgment herein having been filed. Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the judgment of the United States Circuit Court of Appeals for the Seventh Circuit, in this cause be, and the same is hereby

affirmed.

Per Mr. Chief Justice White.

294. J. A. Serven Co., Appellant; vs. The Rice Stix Dry Goods Co. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. S. L. Swartz in support of the same, and Mr. Arthur von Briesen and Mr. Hans von Briesen in opposition thereto.

385. The City of Cincinnati, Plaintiff in Error; vs. The Louisville & Nashville Railroad Co. The motion to advance this cause was submitted to the consideration of the Court by Mr. Ellis G. Kinkead and Mr. J. B. Foraker, of counsel for the defendant in error, in support of the motion

513. Frank Kiernan, Plaintiff in Error; vs. The City of Portland et al. Mr. Jackson H. Ralston, of counsel for the defendants in error, submitted to the consideration of the Court a motion to advance this cause to be heard with case No. 516.

Laura Wheeler et al.,
Executors, etc.,
616 vs. Plaintiffs in Error.
William Sohmer, Comptroller of the State of New York

Mr. Frederic D. McKenney, in behalf of counsel, submitted to the consideration of the Court a joint motion to advance this cause.

The Atlantic Transport Co.,
824 vs. Petitioner,
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Frederic D. McKenney in behalf of Mr. W. S. Montgomery, in support of the same, and leave was granted Mr. Solicitor General Lehmann to file a brief in opposition thereto on or before Friday next.

Pressed Steel Car Co.,
777 vs Petitioner.
Simplex Railway Appliance Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Bertram G. Foster in behalf of Mr. Alfred W. Kiddle and Mr. Clarence P. Byrnes in support of the same, and Mr. Charles C. Linthicum and Mr. J. Edgar Bull in opposition thereto.

56	Norfock & Western Railway Co. vs. Dixie Tobacco Co.	Plaintiff in Error.

Mr. Thomas Reath, Mr. Theodore W. Reath and Mr. Samuel Griffin, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance the cause.

599.	George T. Simpson et al., vs. David C. Shepard	Appellants.
600.	George T. Simpson et al., vs. Emma B. Kennedy et al., Executors, etc., et al.	Appellants.
601	George T. Simpson et al., vs. William Shillaber	Appellants.

On motion of Mr. Frederick S. Tyler, in that behalf, leave is hereby granted Mr. Edmund S. Durment to file a brief herein as amicus curiæ.

Original	The People of the State of New York, vs. The State of New Jersey et al.	Complainants.

The motion for an order extending the time for taking testimony herein was submitted to the consideration of the Court by Mr. William J. O'Sullivan, of counsel for the complainants, in support of the motion, and by Mr. Edmund Wilson, Mr. Robert H. McCarter, and Mr. Joseph H. Choate, of counsel for the defendants in opposition thereto.

784 The City of New York. Petitioner
vs.
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William J. O'Sullivan in behalf of Mr. Terence Farley in support of the same, and Mr. Solicitor General Lehmann in opposition thereto.

137 David Lupton's Sons Co., Plaintiff in Error,
vs.
The Automobile Club of America

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr William W. Niles in support of the same, and Mr. William Ford Upson in opposition thereto.

285 The Interstate Commerce Commission, Appellant.
vs.
Harry J. Diffenbaugh et al

286 The Interstate Commerce Commission, Appellant.
vs.
F. N. Peavey & Co et al.

287 Union Pacific Railroad Co., Appellant.
vs.
F. N. Peavey & Co. et al

The argument of these cases was continued by Mr. Frank Hagerman, and Mr. John Barton Payne, of counsel for the appellee, and Mr. Maxwell Evarts of counsel for the Union Pacific Railroad Company, and concluded by Mr. Solicitor

General Lehmann, of counsel for The Interstate Commerce Commission:

353 & 354 — Union Pacific Railroad Co., Plaintiff in Error. vs. The Updike Grain Co. et al.
355 & 356 — Union Pacific Railroad Co., Plaintiff in Error. vs. The Updike Grain Co.

These cases were argued by Mr. Max well Evarts, of counsel for the plaintiff in error, and Mr. Edward P. Smith, of counsel for the defendants in error.

1451 — The Interstate Commerce Commission. Appellant. vs. Union Pacific Railroad Co. et al.
1452 — The Interstate Commerce Commission, Appellant. vs. Northern Pacific Railway Co. et al.
1453 — The Interstate Commerce Commission. Appellant. vs. The Great Northern Railway Co. et al.

The argument of these cases was commenced by Mr. Luther M. Walter, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Thursday, October 19th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf, by Mrs. Ellen Spencer Mussey, it is ordered that Ella D. Gates, Anne Elizabeth Draper, and Harriet Freeby, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr James C. Jeffery, it is ordered that Kerner Euston, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	The Interstate Commerce Commission.	The argument of these cases was continued by Mr. Luther M. Walter, of counsel for the appellant, and Mr. Hale Holden, of counsel for the appellees, and concluded by Mr Jesse C. Adkins, of counsel for the appellant
451	vs. Appellant.	
	Union Pacific Railroad Co et al	
	The Interstate Commerce Commission.	
452	vs Appellant.	
	Northern Pacific Railway Co et al	
	The Interstate Commerce Commission.	
453.	vs. Appellant.	
	The Great Northern Railway Co. et al.	

	The United States.	This cause was argued by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.
440	vs. Plaintiff in Error.	
	Conrad A. Styler	

	The United States.	This cause was argued by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, and submitted on a printed brief by Mr. Alexander Thain, of counsel for the defendants in error.
463	vs. Plaintiff in Error.	
	John Morgan et al	

1164. The United States, Plaintiff in Error, vs. The Baltimore & Ohio Southwestern Railroad Co.

This cause was argued by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error and by Mr. George Hoadly, of counsel for the defendant in error.

216 Russell B. Herriman, Appellant, vs. E. T. Elliott, United States Marshal in and for the Northern District of California, et al.

Appeal from the Circuit Court of the United States for the Northern District of California

It appearing to the Court from a suggestion of Mr. H. F. Woodard, of counsel for the appellant, that this cause has abated by reason of the death of the appellant pending this appeal. Therefore, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice White

201 Frank W. Brown, vs. Appellant. C. T. Elliott, United States Marshal, etc., et al.

203 E. C. Moore, vs. Appellant. C. T. Elliott, United States Marshal, etc., et al.

These cases were argued by Mr. Henry T. Woodard, of counsel for the appellants, and by Mr. Solicitor General Lehmann, of counsel for the appellees, and leave was granted counsel for the appellants to file a brief tomorrow.

413-414 Mike Beecham, vs. Plaintiff in Error The United States.

These cases were submitted to the consideration of the Court on the record and printed arguments by Mr. William J. Rohde, of counsel for the plaintiff in Error, and Mr. Assistant Attorney General Harr, of counsel for the defendant in error.

486 Morris Glickstein, vs. The United States.

This cause was submitted to the consideration of the Court on the certificate and printed briefs by Mr. John E. Hartridge and Mr. N. P. Bryan, of counsel for Glickstein, and by Mr. Solicitor General Lehmann, of counsel for the United States.

373. The United States, Plaintiff in Error,
vs.
The Baltimore and Ohio Railroad Co.

The argument of this cause was commenced by Mr. Assistant Attorney General Harr, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar } Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Seymour Edgerton, Esquire, of Chicago, State of Illinois, and J. S. McKenney, Esquire, of Fairfield State of Iowa, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

The United States,
vs. Plaintiff in Error.
The Baltimore & Ohio
Railroad Co.

The argument of this cause was continued by Mr. Assistant Attorney General Harr, of counsel for the plaintiff in error, and Mr. B. M. Ambler, of counsel for the defendant in error, and concluded by Mr. Assistant Attorney General

plaintiff in error.

195.	The United States, Plaintiff in Error, vs. George F. Clover et al.	This cause was argued by Mr. Assistant Attorney General Harr, of counsel for the plaintiff in error, and by Mr. W. M. Smith and Mr. J. S. McKenney, of counsel for the defendants in error.
316.	The United States of America, Appellant, vs. The Terminal Railroad Association of St. Louis et al.	The argument of this cause was commenced by Mr. E. C. Crow, of counsel for the appellant.

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Fred Beall, it is ordered that W. B. Maxwell, Esquire, of Elkins, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that Elmont B. Hazard, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this be-

ordered that T. M. Pierce, Esquire, of St. Louis, State of Missouri, and George E. Leney, Esquire, of Toledo, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Simon Rose, Jr., Esquire, of Cincinnati, State of Ohio, and John Trumbull, Esquire, of Seattle, State of Washington, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr W. F. Thompson, it is ordered that William J. Courtright, Esquire, of Fremont, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

George R. Blinn, Receiver of the property of Mabel Allen, otherwise known as Mabel E. Allen, an absentee, (Plaintiff in Error,
vs.
George Ella Nelson, Robert J. Fisher, Emma E. Thomas et al.

In Error to the Supreme Judicial Court of the State of Massachusetts

This cause came on to be heard on the transcript

of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

607 The United States, Plaintiff in Error, vs. Harvey C. Miller et al.
608 The United States, Plaintiff in Error, vs. Harvey C. Miller et al.

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on Monday, January 8, 1912.

Per Mr. Chief Justice White

735 The Cherokee Nation and The United States, Appellants, vs. Moses Whitmire, Trustee, &c.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 8, 1912.

Per Mr. Chief Justice White

763 James J. Hooker et al. vs. Appellants, Martin A. Knapp et al., as members of the Interstate Commerce Commission, et al

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 8, 1912.

Per Mr. Chief Justice White.

774 The Eagle White Lead Co. et al., vs. Appellants, The Interstate Commerce Commission et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 8, 1912.

Per Mr. Chief Justice White

784 Southern Pacific Co. et al., vs. Appellants, Thomas K. Campbell et al. Commissioners, etc.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 8, 1912.

Per Mr. Chief Justice White.

820. The United States of America, Appellant; vs. The Union Pacific Railroad Co. et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on Monday, January 8, 1912.

per Mr. Chief Justice White.

485. Southern Railway Co., Plaintiff in Error; vs. D. L. Reid et ux. On consideration of the motion to advance this cause, and assign the same for argument with case No. 80, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

per Mr. Chief Justice White

503. Frank Kiernan, Plaintiff in Error; vs. The City of Portland et al. On consideration of the motion to advance this cause and assign the same for argument with case No. 36, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

per Mr. Chief Justice White

Chicago, St. Paul, Minneapolis & Omaha Railway Co., Petitioner.
vs.
Bud R. Lalla

On consideration of the motion to advance this cause and assign the same for argument with case No. 199, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

per Mr. Chief Justice White

Michael H. Gleason et al., Plaintiffs in Error,
vs.
J. J. Wood, County Treasurer, etc., et al.
George W. Choate et al., Plaintiffs in Error,
vs.
M. E. Trapp, Secretary &c., et al

On consideration of the motion to advance these cases and assign them for hearing with case No. 384, It is now here ordered by the Court that the said motion be and the same is hereby, granted

per Mr. Chief Justice White.

City of Louisville, Appellant.
vs.
Cumberland Telephone & Telegraph Co.

On consideration of the motion to advance this cause and assign the same for hearing with case No. 147, It is now here ordered by the Court that the said motion be, and the same is hereby, granted

per Mr. Chief Justice White

Charles T. Preston
471. vs. Plaintiff in Error.
The City of Chicago et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White.

Atlantic Coast Line
Railroad Co.,
511. vs. Plaintiff in Error.
The State of Georgia

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White.

George W. Cureton.
572. vs. Plaintiff in Error.
The State of Georgia
George W. Cureton
583. vs Plaintiff in Error
The State of Georgia

On consideration of the motions to advance these cases It is now here ordered by the Court that the said motions be, and the same are hereby, denied.

per Mr Chief Justice White

536 The Lewis Blue Point Oyster Cultivation Co. vs. J. Marvin Briggs (Plaintiff in Error) — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White

204 J. L. Murphy, vs. The People of the State of California (Plaintiff in Error) — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White

234 Samuel Loeb, vs. The State of Georgia (Plaintiff in Error) — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White

385 The City of Cincinnati, vs. The Louisville & Nashville Railroad Co. (Plaintiff in Error) — On consideration of the motion to advance this cause It is now here ordered by the Court that said motion be, and the same is hereby

denied

per Mr. Chief Justice White

William G. Rested et al., Appellants, vs. Samuel A. Abbey et al. 1421. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White

Madera Water Works, Appellant, vs. City of Madera et al. 520. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White

George A. Luria, Appellant, vs. The United States. 543. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White

Norfolk & Western Railway Co., Plaintiff in Error, vs. Dixie Tobacco Co. 544. On consideration of the motion to advance this

here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Ben F. Harrison, Secretary of State of the State of Oklahoma,
vs. Appellant.
St. Louis & San Francisco Railroad Co.
623.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

Leo Meyer, as Auditor of the State of Oklahoma,
vs. Appellant.
Wells, Fargo & Co.
624

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Charles Wilson,
vs. Appellant.
The United States.
652

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

667 Laura Wheeler et al., as Executors etc., vs. Plaintiffs in Error. William Sohmer, Comptroller, etc

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby, denied.

per Mr. Chief Justice White

668. Railroad Commission of Louisiana, et al., vs. Appellants, Texas & Pacific Railway Co., et al

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White

708. United States Express Co., vs. Plaintiff in Error. The State of Minnesota

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White

752. Joe Darsey, vs. Plaintiff in Error. The State of Georgia

On consideration of the motion to advance this cause, It is now here or-

The Aetna Life Insurance Company, Petitioner, vs. John T. Moore, Administrator, etc. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

615.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

The Rubber Tire Wheel Co., et al., Petitioners, vs. The Goodyear Tire & Rubber Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

633.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

670 The Prudential Insurance Company of America. vs. John T. Moore, Administrator, etc. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

502. The George N. Pierce Co., vs. Wells Fargo & Co. Petitioner. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein, to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

1103. John L. James, Bankrupt. vs. Appellant. Stone & Co., Creditors, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

603. Haw Moy, Petitioner; vs. Hart N. North, Commissioner of Immigration, etc. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

604. Hoo Choy, Petitioner, vs. Hart N. North, Commissioner of Immigration, etc. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

605. Charles D. Henderson, Petitioner, vs. Pennsylvania Rail road Company. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

Jesse Watson, as Trustee in bankruptcy of Frank Zotti, etc.; — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

610. vs. Petitioner.

European American Bank.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

Johnson Educator Food Co., — On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

620. vs. Petitioner,

Sylvanus Smith & Co., Inc.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice White

621. Frank C. Marrin, Petitioner, vs. The United States. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

622. John J. McDuffee, Trustee, etc., Petitioner, vs. Hestonville, Mantua & Fairmount Passenger Railway Co., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

629. Edward Enders, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

630. Henry Hinn, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

634 James M. Alsop, Petitioner, vs. John Conway et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein, to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

481 Edward B. Jordan, Collector of Internal Revenue, vs. James W. Roche

482 Edward B. Jordan, Collector of Internal Revenue, vs. Charles N. Ross and William P. Ross.

On consideration of the petition for writs of certiorari to bring up the entire records in these causes, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Charles E. Hamilton, as Receiver of Evans, Johnson, Sloane Co., Petitioner. vs. Ferdinand L. Ford. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

643.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

The Title Guaranty & Surety Co., Petitioner. vs. The United States to the use of General Electric Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

663.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

706 The People of the State of New York, Petitioner, vs. The Central Trust Co. of New York, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

709 Edward Rimmerman and C. B. Schaff, Petitioners, vs. The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

717. Pressed Steel Car Co., Petitioner
vs.
Simplex Railway Appliance Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

718. William J. Hagadorn, The St. Louis Trust Co., and L. A. Cognard, Petitioners.
vs.
Street Grading District No. 60 of Little Rock, Arkansas.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

781. Jacob Yungblunh, Petitioner. vs. John N. Slipper and Fred G. Slipper, partners, etc., as Eagle Shingle Co. et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

784 City of New York, Petitioner vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice White

790.	H. A. Garramone and I. Gross, Petitioners, vs. The United States.	On petition for writ of certiorari to the United States Court of Customs Appeals.

On consideration of the petition for a writ of certiorari herein to the United States Court of Customs Appeals, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

792.	Henry Heide, Petitioner vs. Panagiotis Panoulias	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

793. The Pennsylvania Steel Co., vs. Henry M. Sussweein — Petitioner. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

804 Martha Brion, vs. The United States. — Petitioner — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

805 Raymonde Chomel, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

808 Oceanic Steam Navigation Co., Petitioner, vs. Edith Watkins. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

	John W. Stone Cotton Mills.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.
810.	vs. Petitioner.	
	Frederick T. Fleitmann and William W. Fleitmann, surviving partners of the firm of Fleitmann & Co.	

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice White.

	The Rubber Tire Wheel Co., and Consolidated Rubber Tire Co.,	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.
811.	vs. Petitioners,	
	The Goodyear Tire & Rubber Co., et al	

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby,

824. The Atlantic Transport Co., Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

112 Omaha Electric Light & Power Co., Appellant, vs. The City of Omaha and Waldemar Michaelson. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White.

516. The Richmond, Fredericksburg & Potomac Railroad Co., Plaintiff in Error, vs. The Commonwealth of Virginia. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White

137. David Lupton's Sons Co., Plaintiff in Error, vs. The Automobile Club of America. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White.

1, Original. The State of Maryland, Complainant vs. The State of West Virginia. On consideration of the application of the Commissioners appointed by this Court in this cause, It is ordered that the time within which to file their report and the map accompanying same be, and the same is hereby, extended to November 1st next.

Per Mr. Chief Justice White.

512. Thomas N. Pickford and John N. Waller, Appellants, vs. Henry M. Talbott. On consideration of the motion of counsel for the appellee to dismiss or have appellee to collect judgment pending this appeal, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

The American National Bank of Nashville, Tennessee,
656 vs. Plaintiff in Error,
A. L. Miller, Agent, &c.

On consideration of the joint motion of counsel for the parties in this cause for leave to supply the Clerk with sixteen copies of the record in this cause as printed for the use of the Circuit Court of Appeals instead of twenty-five copies thereof as required by the Rules of this Court. It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White.

Charles Wilson, arrested under the name of Charles Willard,
652 vs. Appellant.
The United States.

On consideration of the motion to stay all proceedings in this cause in the District Court of the United States for the Northern District of Illinois, pending this appeal, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

Order

It is ordered that the Rules of this Court be amended as follows, viz:

Rule 6.

Strike out Section 2 and insert the following:

2. Forty-five minutes on each side shall be allowed to the argument of a motion, and no more

without special leave of the Court, granted before the argument begins.

Strike out Section 5, and insert the following:

5. The Court in any pending cause will receive a motion to affirm on the ground that it is manifest that the writ or appeal was taken for delay only, or that the questions on which the decision of the cause depend are so frivolous as not to need further argument. The same procedure shall apply and control such motions as are provided for in case of motions to dismiss under paragraph 4 of this rule. Although the Court upon consideration of a motion to affirm may refuse to grant the motion, it may nevertheless, if the conclusion is arrived at that the case is of such a character as not to justify extended argument order the cause transferred for hearing to a summary docket. The hearing of the causes on such docket will be expedited, the Court providing from time to time for such speedy disposition of the docket as the regular order of business may permit, and on the hearing of such causes one half hour will be allowed each side for oral argument.

Rule 22

Strike out Section 3. and insert the following:

3. One and one-half hours on each side will be allowed for the argument, and no more, without special leave of the Court, granted before the argument begins. But in cases certified from the Circuit Courts of Appeals, cases involving solely the jurisdiction of the court below, and cases brought here by appeal from interlocutory orders granting or refusing injunctions, one hour will be allowed each side for oral argument.

of March 2, 1907, 34 Stat. 1246, forty five minutes only on each side will be allowed for the argument unless the time be extended. The time thus allowed may be apportioned between the counsel on the same side, at their discretion: Provided, always: That a fair opening of the case shall be made by the party having the opening and closing arguments.

Per Mr. Chief Justice White.

1197

Quincy, Omaha & Kansas City Railroad Company, Plaintiff in Error, vs. Ora F. Shoheney. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

524. Yeung How, sometimes known as Yeung Chan, vs. Hart H. North, United States Commissioner of Immigration, etc., et al. Appellant. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

635. W. S. Bryan, vs. Blue-Cook Oak Co., et al. Appellant. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

636. W. S. Bryan, Appellant, vs. Edwin S. Layman. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

637. W. S. Bryan, Appellant, vs. William Bagnell. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

638. Marcus G. Ryder. vs. Bliss Cook Oak Co., et al. Appellant. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

639. S. L. Moser. vs. Edwin S. Layman. Appellant. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

713. Elizabeth Cassidy, Joseph Welsh, Thomas Henry, John G. Prinzing and William F. Quarterman, Plaintiffs in Error, vs. The People of the State of Colorado on the relation of the Attorney General of the State of Colorado. — In Error to the Supreme Court of the State of Colorado

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

34 J. A. Scriven Company, Appellant, vs. Rice-Stix Dry Goods Co. — Appeal from the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of

jurisdiction.

per Mr. Chief Justice White

1113. Mike Beecham, Plaintiff in Error, vs. The United States. In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice White.

1114. Mike Beecham, Plaintiff in Error, vs. The United States. In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice White.

516. The United States, Plaintiff in Error, vs. James H. Pullen et al

On motion of Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of section 9 of rule 26.

531. Washington, Alexandria & Mount Vernon Railway Co., Petitioner, vs. Real Estate Trust Company of Philadelphia

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John S. Barbour, Mr. R. Walton Moore, Mr. George W. Pepper and Mr. W. B. Bodine, Jr., in support of the same, and Mr. Joseph de F. Junkin and Mr. John G. Johnson in opposition thereto.

Ex parte: In the matter of J. Wesley Glasgow, Petitioner.

Original

Mr. Frank S. Bright in behalf of Mr. John C. Fay, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of Habeas Corpus herein.

No. 341. Eldins Electric Railway Co., Petitioner, vs. Western Maryland Railway Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Fred Beall and Mr. W. B. Maxwell in support of the same, and Mr. George R. Gaither and Mr. Leon E. Greenbaum in opposition thereto.

No. 345. Samuel O'Brien, Plaintiff in Error, vs. Rudolph B. Schneider et al. Mr. William J. Conright, of counsel for the defendants in error submitted to the consideration of the Court a motion to advance this cause.

No. 371. David A. Collier et al., Plaintiffs in Error, vs. J. G. Smallz and Iowa Railroad Land Co. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed extracts from the record by Mr. Charles A. Clark, of counsel for the Iowa Railroad Land Company and Mr. J. M. Finch, of counsel for Smallz in support of the motions, and Mr. F. T. Hughes, of counsel for the plaintiffs in error in opposition thereto.

813	Robert P. Allen et al., Commissioners, etc., vs. Appellants, St. Louis, Iron Mountain & Southern Railway Co. Robert P. Allen et al., Commissioners, etc. vs. Appellants, St. Louis Southwestern Railway Co.	Mr. Joseph M. Hill, of counsel for the appellants, submitted to the consideration of the Court a motion to advance these cases.

66	The United States ex rel. Mary S. Ness, vs. Plaintiff in Error, Richard A. Ballinger, as Secretary of the Interior.	Mr. Samuel Herrick, of counsel for the plaintiff in error, suggested the resignation of Richard A. Ballinger, and the appointment of Walter L. Fisher as his successor as Secretary of the Interior, and moved the Court to make the said Walter L. Fisher as Secretary of the Interior, the party defendant in error in this cause. Whereupon, It is now here ordered by the Court that the said Walter L. Fisher, Secretary of the Interior, be, and he is hereby made the party defendant in error in this cause.
816	The United States of America, vs. Appellant. The Terminal Railroad Association of St. Louis et al.	On motion of Mr John C. Higdon in that behalf, leave is hereby granted to file a brief herein

as amicus curiae.

12. The Mercantile Trust Co and Edward J. Gannon, vs. Appellants, The Texas & Pacific Rail way Co, et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Murphy J. Foster, and Mr. William W. Green, of counsel for the appellants, and by Mr. John F. Dillon, Mr. Charles E. Fenner, Mr. W. B. Spencer and Mr. Charles Payne Fenner, of counsel for the appellees, and Mr. Walter Guion as amicus curiae.

386. The United States of America, vs. Appellant, The Terminal Railroad Association of St. Louis et al.

The argument of this cause was continued by Mr. E. C. Crow, of counsel for the appellant, and by Mr. H. S. Priest, of counsel for the appellees, and concluded by Mr. E. C. Crow, of counsel for the appellant.

447. Frederick A. Hyde, et al., vs. Petitioners. The United States.

The argument of this cause was commenced by Mr. A. S. Worthington, of counsel for the petitioners

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock M.

Tuesday, October 24th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that E. B. Power, Esquire, of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanton C. Peelle, it is ordered that Olcott O. Partridge, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. M. Hewlett, it is ordered that George H. Mifford, Esquire, of Washington, District of

Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Robert Gilland,
361. vs. Plaintiff in Error.
The United States.

In Error to the Circuit Court of the United States for the District of South Dakota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Dakota, and was argued by counsel, upon which argument counsel for the defendant in error confessed error. On consideration of said confession of error, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity to law.

Per Mr. Chief Justice White.

Robert Gilland
361. vs. Plaintiff in Error.
The United States

On motion of Mr. Solicitor General Lehmann, of counsel for the defendant in error,

leave is hereby granted the Clerk to issue the mandate in this cause.

1117. Frederick A. Hyde et al., Petitioners, vs. The United States.

The argument of this cause was continued by Mr. N. S. Worthington, of counsel for the petitioners, and Mr. Solicitor General Lehmann, of counsel for the respondent, and concluded by Mr. N. S. Worthington, of counsel for the petitioners.

365. The United States, Plaintiff in Error, vs. W. N. Barnes et al.

This cause was argued by Mr. Assistant Attorney General Harr, of counsel for the plaintiff in error, and Mr. Henry M. Johnson, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Fred C. Rabb, Esquire, of Williamsport, State of Indiana, and Andrew Christensen, Esquire, of Seattle, State of Washington, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Hughes, it is ordered that Allan R. Campbell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Wednesday, October 25th, 1911, continued.

No 65 — The United States vs. Plaintiff in Error, B. H. Barnes et al.

Mr Assistant Attorney General Harr, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to file an additional brief herein. Whereupon, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

No 342 — The United States vs. Plaintiff in Error, Charles F. Munday et al.

On motion of Mr Charles W. Dorr, of counsel for the defendants in error, forty-five minutes additional time is allowed to the defendants in error in the argument of this cause. This cause was argued by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, and Mr. Charles W. Dorr, and Mr. E. C. Hughes, of counsel for the defendants in error.

No 1 — J. B. Curtin, vs. Appellant. N. C. Benson et al.

This cause was argued by Mr. William C. Prentice, of counsel for the appellant, and by Mr. Assistant Attorney General Harr, of counsel for the appellees.

No 3 — George D. Bryan, Collector &c., vs. Petitioner. Roxana S. Ker, Executrix, etc.

The argument of this cause was commenced by Mr Assistant

Attorney General Denison, of counsel for the petitioners, and continued by M. J. P. Kennedy Bryan, of counsel for the respondent.

Proclamation being made, the Court is adjourned

Thursday, October 26th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles F. Jones, it is ordered that Samuel B. Crandall, Esquire, of Andover, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Royer Sherman, Successor in trust, etc. et al., Plaintiffs in Error,
vs.
Libbie Goodwin

No. 23.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Walter Bennett and Mr. D. H. Pinney, of counsel for the plaintiffs in error, and Mr. J. F. Wilson, of counsel for the defendant in error, and leave was granted counsel for the plaintiffs in error to file an additional brief within ten days, after notice to the other side.

3. George D. Bryan, Collector, &c., vs. Petitioner. Rosana S. Ker, Executrix, etc. The argument of this cause was continued by Mr. J. P. Kennedy Bryan, of counsel for the respondent, and concluded by Mr. Assistant Attorney General Denison, of counsel for the petitioner, and leave was granted counsel for the respondent to file an additional brief within five days.

4. A. Sandoval et al., vs Appellants, Epes Randolph. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Henry S. Van Dyke and Mr. Frank P. Flint, of counsel for the appellants, and Mr. Eugene S. Ives, of counsel for the appellee.

111. Joseph R. Moore et al., vs. Plaintiffs in Error, The State of New Jersey. This cause was argued by Mr. Thomas P. Fay, of counsel for the plaintiffs in error, and submitted on a printed argument by Mr. Edmund Wilson, of counsel for the defendant in error.

15. James W. Finley, vs. Plaintiff in Error, The People of the State of This cause was argued by Mr. E. B. Power, of coun-

ants in error, and submitted on a printed argument by Mr. C. C. Calhoun, Mr. James M. Sharp and Mr. H. C. W. Dinkelspiel, of counsel for the plaintiff in error.

The Kansas City Southern Railway Co.,
Plaintiff in Error,
v.
C. H. Albers Commission Co.

No. 15.

This cause was argued by Mr. Cyrus Crane, of counsel for the plaintiff in error, and Mr. John M. Wayde, and Mr. Philip K. Campbell, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. E. Hilton Jackson, it is ordered that Stanley D. Pearce, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States,
vs. Appellant.
The Fidelity Trust Co., &c.

2.50

On motion of Mr. George P. Montague in that behalf, leave is hereby granted to file a brief herein as amicus curiae.

116 Alexander D. Johnson et al., Appellants, vs. The Washington Loan & Trust Co. Mr. A. S. Worthington, of counsel for the appellants, suggested the death of John H. Berry, one of the appellants in this cause.

29. Mutual Loan Co. Plaintiff in Error, vs. George J. Martell. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Lee M. Friedman, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

30. Sidney Henry et al., vs. A. B. Dick Company This cause was argued by Mr. Arthur v. Briesen of counsel for Henry et al., and Mr. Frederick P. Fish of counsel for the A. B. Dick Company.

14. Isobel H. Lenman. Appellant, vs. Thomas R. Jones. This cause was argued by Mr. A. S. Worthington, of counsel for the appellant, and Mr. Hugh H. Obear and Mr. J. J. Darlington, of counsel for the appellee.

21. Julian Munsuri,
vs Plaintiff in Error,
J. H. Frieker, Trustee.

Mr. George H. Lamar, of counsel for the plaintiff in error, suggested the resignation of J. H. Frieker and the appointment of Charles O. Lord as his successor as trustee, and moved the Court to make the said Charles O. Lord as trustee the party defendant in error in this cause. Whereupon, it is now here ordered by the Court that the said Charles O. Lord, Trustee, be, and he is hereby made the party defendant in error in this cause

21. Julian Munsuri,
vs. Plaintiff in Error,
Charles O. Lord, Trustee

The argument of this cause was commenced by Mr. George H. Lamar, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Monday, October 30th, 1911.

(Pursuant to adjournment, the Court met today at the Capitol.

(Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.)

(Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Sidney J. Brooks, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. T. Denison, it is ordered that Edward F. Merrill, Esquire, of Skowhegan, State of Maine, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 28.

On motion first made to the Court in this behalf by Mr. Jackson H. Ralston, it is ordered that Frank S Grant and William C. Benbow, Esquires, of Portland, State of Oregon, be admitted to

ice as attorneys and counsellors of this Court, and
hey were sworn accordingly.

On motion first made to the Court in this behalf by
Mr. Vernon E. Hodges, it is ordered that David B.
eltz, Esquire, of Brooklyn, State of New York, be
dmitted to practice as an attorney and counsellor
f this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by
Mr. Harvey S. Knight, it is ordered that Adolph
lexander Thomas, Esquire, of New York City, be
dmitted to practice as an attorney and counsellor
f this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf
Mr. Fred W. Weitzel, it is ordered that Levi
ussell Alden, Esquire, of Washington, District of
olumbia, be admitted to practice as an attorney
nd counsellor of this Court, and he was sworn ac
dingly.

uthern Railway Co.,
vs. Plaintiff in Error
e United States.

In Error to the District
Court of the United
States for the Northern
District of Alabama.

This cause came on to be heard on the transcript
the record from the District Court of the United
ates for the Northern District of Alabama, and
as argued by counsel. On consideration whereof,

Court that the judgment of the said District
in this cause be, and the same is hereby, af
per Mr. Justice Van D

Commonwealth of Virginia
v. Original. vs. Complainant,
State of West Virginia

On consideration
the motion o
complainant
the Court proc
with a further hearing and determination of
cause, and of the argument of counsel there
had, as well in support of as against the sug
is now here ordered by the Court that the said
tion be, and the same is hereby, denied with
prejudice.

per Mr. Justice Holm

The United States,
1110 vs. Plaintiff in Error,
Conrad A. Styler

In Error to the
trict Court of
United States
Western Distric

North Carolina.

This cause came on to be heard on the tran
of the record from the District Court of the U
States for the Western District of North Car
and was argued by counsel. On consideratio
whereof, It is now here ordered and adjudge
this Court that the judgment of the said Dis
Court in this cause be, and the same is hereb
reversed; and that this cause be, and the sa
hereby, remanded to the said District Court f
further proceedings in conformity to Cau

464 The United States, Plaintiff in Error, vs. The Baltimore & Ohio Southwestern Railroad Co. In Error to the District Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice McKenna.

595 Samuel O'Brien, Plaintiff in Error, vs. Rudolph B. Schneider et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

813 Robert P. Allen et al., Commissioners, etc., Appellants, vs. The St. Louis, Iron Mountain & Southern Railway Co.

814 Robert P. Allen et al., Commissioners, etc., Appellants, vs. The St. Louis, Southwestern Railway Co.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is

and the cases assigned for argument on M
January 8, 1912.

Per Mr. Chief Justice Wh

No. 531. Washington, Alexandria & Mt. Vernon Railway Co., Petitioner. vs. Real Estate Trust Co., of Philadelphia

On petition for c certiorari to the U States Circuit Co of Appeals for t Third Circuit.

On consideration of the petition for a writ of c rari herein to the United States Circuit Cou Appeals for the Third Circuit, and of the argu of counsel thereupon had, as well in support of against the same, It is now here ordered by the that said petition be, and the same is hereby nied.

Per Mr. Chief Justice Wh

No. 532 Elkins Electric Railway Co., Petitioner, vs. Western Maryland Railway Co.

On petition for c certiorari to the U States Circuit Cou Appeals for the Fo Circuit.

On consideration of the petition for a writ of c tiorari herein to the United States Circuit Co of Appeals for the Fourth Circuit, and of the gument of counsel thereupon had, as well in s port of as against the same, It is now here o by the Court that said petition be, and the s is hereby, denied. Per Mr. Chief Justice W

The People of the State of New York, Complainants, vs. State of New Jersey et al. Defendants. Original. No. [illegible]

On consideration of the motion to extend the time for taking testimony in this cause, It is now here ordered by the Court that the time for complainants to take further testimony be, and the same is hereby extended to March 31, 1912, that the defendants may take testimony between April 1st, 1912 and September 15, 1912, and that the complainants may take testimony in rebuttal between September 15th, 1912, and December 1st, 1912.

per Mr. Chief Justice White.

Joe Darsey, Plaintiff in Error, vs. The State of Georgia. No. 782.

On consideration of the motion for leave to the plaintiff in error to proceed in forma pauperis in this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

per Mr. Chief Justice White.

Ex parte: In the matter of J. Wiley Glasgow, Petitioner. Original.

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Joseph R. Moore and Louis Huhn, Plaintiffs in Error, vs. The State of New Jersey. — In Error to the Court of Errors and Appeals of the State of New Jersey.

111

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

David A. Collier, Sallie C. Smyth, George D. Smyth, Jr., Mallie Rutledge et al., Plaintiffs in Error, vs. J. G. Smalley and Iowa Railroad Land Co. — In Error to the Supreme Court of the State of Iowa.

571

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

12. The Mercantile Trust Co. and Edward J. Gannon, vs. Appellants, The Texas & Pacific Railway Co., William Wirt Howe, Charles E. Fenner, Walker B. Spencer and Charles Payne Fenner. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White

780 The Procter & Gamble Co., vs. Appellant, The United States of America et al. Mr. George H. Warrington, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

812 Warner-Jenkinson Co., vs. Petitioner, The United States. The petition for a writ of certiorari herein was submitted to the consideration

Charles Ray Dean in support of the same, and Mr. Assistant Attorney General Denison in opposition thereto.

Elizabeth Cassidy et al., Plaintiffs in Error, vs. The People of the State of Colorado on the relation of the Attorney General of Colorado. 844.

On motion of Mr. John Spalding Flannery, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

Omaha & Council Bluffs Street Railway Co., et al., Appellants, vs. Interstate Commerce Commission et al. 846.

Mr. John Spalding Flannery, in behalf of counsel for the appellants, submitted to the consideration of the Court a motion to stay proceedings and maintain status quo pending the appeal in this cause, and leave was granted the Solicitor General to file a brief in opposition thereto on or before Friday next.

The Central Railroad Co. of New Jersey, Owner, &c., Petitioner, vs. The Philadelphia & Reading Railway Co., Charterers &c. 842.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr de Lagnel Berrier and Mr. James J. Macklin in support of the same, and Mr.

James T. Campbell in opposition thereto.

60 The United States of America ex rel. Lucy Ann Turner et al., vs. Plaintiffs in Error, Richard A. Ballinger, Secretary of the Interior

Mr. Charles J. Kappler, of counsel for the plaintiffs in error, suggested the resignation of Richard A. Ballinger and the appointment of Walter L. Fisher as his successor as Secretary of the Interior, and moved the Court to make the said Walter L. Fisher, as Secretary of the Interior the party defendant in error in this cause. Whereupon, It is now here ordered by the Court that the said Walter L Fisher, Secretary of the Interior be, and he is hereby, made the party defendant in error in this cause.

111 The United States of America, ex rel. Lillie Lowe et al., vs. Plaintiffs in Error, Richard A. Ballinger, Secretary of the Interior.

Mr. Charles J. Kappler, of counsel for the plaintiffs in error, suggested the resignation of Richard A. Ballinger and the appointment of Walter L. Fisher as his successor as Secretary of the Interior, and moved the Court to make the said Walter L. Fisher, as Secretary of the Interior, the party defendant in error in this cause. Whereupon, It is now here ordered by the Court that

be, and he is hereby, made the party defendant in error in this cause.

1145 The United States of America ex rel Lillie Lowe et al., Plaintiffs in Error, vs. Walter L. Fisher, Secretary of the Interior.

Mr. Charles J. Kappler and Mr. Charles H. Merillat, of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause to be heard with case No. 60 as one case.

56 Pacific States Telephone & Telegraph Co., Plaintiff in Error, vs. The State of Oregon

On motion of Mr. Frederick S. Tyler, in that behalf, leave is hereby granted Mr. Elliott W. Major as Attorney General of the State of Missouri to file a brief herein as amicus curiae.

71 W. H. Tolliver et ux., Appellants, vs. The Great Northern Railway Co.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. E. C. Lindley, of counsel for the appellee in support of the motion, and by Mr. Miles Poindexter and Mr. O. C. Moore, of counsel for the appellants in opposition thereto.

21. Julian Munsuri, Plaintiff in Error, vs. Charles O. Lord, Trustee. The argument of this cause was continued by Mr. George H. Lamar, of counsel for the plaintiff in error, and Mr. William G. Johnson, of counsel for the defendant in error, and concluded by Mr. George H. Lamar, of counsel for the plaintiff in error.

22 Jeff. Weller & Company, et al., Appellants, vs. Julian Munsuri. The argument of this cause was commenced by Mr. William G. Johnson, of counsel for the appellants, and continued by Mr. George H. Lamar, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Tuesday, October 31st, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Fred Beall, it is ordered that Clarence L. Marine, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Griggs, it is ordered that William N. Harding, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John D. Black, it is ordered that John

N. Beckwith and Joseph F. Grossman, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court. and they were sworn accordingly.

22. Jeff't. Weller & Co. et al., vs. Julian Munsuri, Appellants. The argument of this cause was concluded by Mr. George H. Lamar, of counsel for the appellee.

24 & 25. Rafael Enriquez et al., vs. Francisco Enriquez et ux, Appellants. These cases were argued by Mr. Jackson H. Ralston, of counsel for the appellants, and submitted on a printed argument by Mr. A. D. Gibbs, of counsel for the appellees.

26. Kalem Company, vs. Harper Brothers et al., Appellant. The argument of this cause was commenced by Mr. John W. Griggs, of counsel for the appellant, and continued by Mr. David Gerber and Mr. John Larkin, of counsel for the appellees, and Mr. Drury W. Cooper, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Wednesday, November 12th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. William M. Cromwell, it is ordered that William H. Crichton-Clarke, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. M. Crawford, it is ordered that Ralph R. Dunniway, Esquire, of Portland, State of Oregon be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James H. Fowler, it is ordered that Watson B. Robinson, Esquire, of New York City, be ad-

mitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

458. Warner Valley Stock Co., Plaintiff in Error, vs. J. L. Morrow and W. H. Cooper. In Error to the Supreme Court of the State of Oregon.

This cause having been called to the attention of the Court by Mr. A. M. Crawford, of counsel for the defendants in error, and he having moved the Court to dismiss the writ of error in this cause pursuant to a stipulation of counsel for the respective parties this day filed. Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed without costs to either party.

Per Mr. Chief Justice White.

35. Elias Aucina Pi, Plaintiff in Error, vs. The United States. In Error to the Supreme Court of the Philippine Islands.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this

37. John E. Hampton et al., as Railroad Commissioners of the State of Arkansas, vs. Appellants, St. Louis, Iron Mountain & Southern Railway Co.

It is ordered by the Court that this cause be, and the same is hereby, continued, per stipulation of counsel.

36. Kalem Company, vs. Appellant, Harper Brothers et al.

The argument of this cause was concluded by Mr. Drury W. Cooper, of counsel for the appellant.

27. Peter Anderson, vs. Plaintiff in Error, United Realty Co., et al.

This cause was argued by Mr. Rhea P. Cary, of counsel for the plaintiff in error, and by Mr. Harry E. King, Mr. C. W. Everett and Mr. C. B. Snider, of counsel for the defendants in error.

30. The United States, vs. Petitioner, Bernard Citroen

This cause was argued by Mr. Assistant to the Attorney General Fowler, of counsel for the petitioner, and Mr. W. Wickham Smith, of counsel for the respondent.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Chas. A. Wehle, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Alexander D. Johnson et al., Appellants, vs. The Washington Loan & Trust Co. On motion of Mr. A. S. Worthington, of counsel for the appellants. It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of rule 26.

Union Pacific Railroad Co., et al.,
31. vs. Appellants,
Mason City & Fort Dodge Railroad Co.

appellee.

This cause was argued by Mr. Maxwell Evarts of counsel for the appellants, and Mr. John Barton Payne, of counsel for the appellee.

Mary N. Hussey, Administratrix, etc., et al.,
32. vs. Appellants,
The United States.

This cause was argued by Mr. George A. King, of counsel for the appellants, and Mr. Frederick de C. Faust, of counsel for the appellee.

Captain John J. Martin et al.,
33. vs. Plaintiffs in Error,
A. J. West.

This cause was argued by Mr. John Trumbull, of counsel for the plaintiffs in error, and submitted on a printed argument by Mr. W. C. Keagin, of counsel for the defendant in error.

Chicago Junction Railway Co.,
34. vs. Plaintiff in Error,
William R. King

The argument of this cause was commenced by Mr. John D. Black, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Friday, November 3d, 1911.

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Jackson H. Ralston, it is ordered that J. Markham Marshall, Esquire, of New York City, and George H. Shibley, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herman D. Reeve, it is ordered that John G. Myerly, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

No. 36. Chicago Junction Railway Co., Plaintiff in Error, vs. William R. King

The argument of this cause was concluded by Mr. John Black, of counsel for the plaintiff in error, the cause was submitted on a printed argument by Mr. James C. McClure, of counsel for the defendant in error.

No. 36. The Pacific States Telephone & Telegraph Co., Plaintiff in Error, vs. The State of Oregon

No. 503. Frank Kiernan, Plaintiff in Error, vs. The City of Portland et al.

On motion of Mr. Jackson A. Ralston, of counsel for the defendants in error, four and a half hours are allowed for the argument of these cases and five counsel are allowed to be heard. The argument of these cases was commenced by Mr. S. Sillsbury, of counsel for the plaintiff in error in No. 36, continued by Mr. Ralph R. Duniway, counsel for the plaintiff in error in No. 503, by Mr. A. M. Crawford, of counsel for the defendant in error in No. 36, by Mr. Frank B. Grant and Mr. C. C. Benbow, of counsel for the defendants in error in No. 503, and by Mr. George Fred Williams and Mr. Jackson A. Ralston, of counsel for the defendant in error in No. 36, and concluded by Mr. S. Sillsbury, of counsel for the plaintiff in error in No. 36. Leave was granted counsel for the plaintiff in error in No. 36 to file an additional brief on or

Friday next.

(Proclamation being made the Court is adjourned

Monday, November 6th, 1911.

(Pursuant to adjournment, the Court met today, at the Capitol.

(Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. T. J. Scofield, it is ordered that James Hillwell, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph R. Edson, it is ordered that William Osgood Morgan, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

566

On motion first made to the Court in this behalf by Mr. T. N. Hogsett, it is ordered that William McKinley Duncan, Esquire, of Cleveland, Ohio,

Davis, Jr., Esquire, of Batavia, and Charles C. Marshall, Esquire, of Sidney, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred A. Fenning, it is ordered that Thomas C. Mc. Donald, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. S. Jennings, it is ordered that John Stevens Mardell, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Charles F. Consaul, it is ordered that Frank L. Soule, Esquire, of St. Anthony, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Troy Bank of Troy, Indiana, and John Bridenthal, Appellants, vs. A. Whitehead & Co. — Appeal from the Circuit Court of the United States for the Western District of Kentucky.

of the record from the Circuit Court of the United States for the Western District of Kentucky, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to overrule the demurrer to the bill and to take such further proceedings in the cause as may be appropriate.

Per Mr. Justice Van Devanter.

T. C. Helm, Thomas M. Cobbs and Thomas H. Perrin. Appeal from the Circuit Court of the United States for the Middle District of Tennessee.

345. vs. Appellants,

J. H. Zarecor et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings.

Per Mr. Justice Hughes.

15. James W. Finley, Plaintiff in Error, vs. The People of the State of California. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

1113. The United States of America, ex rel. Lillie Lowe et al., Plaintiffs in Error, vs. Walter L. Fisher, Secretary of the Interior. On consideration of the motion to advance this cause and assign the same for argument with case No. 60 on the docket of the present term, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White.

750. The Procter & Gamble Co., Appellant, vs. The United States of America et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby granted and the

cause assigned for argument on Monday, Jan
8, 1912, after the cases heretofore assigned for

per Mr. Chief Justice Wh

Warner Jenkinson Co., vs. The United States. — Petitioner. — On petition for writ
tiorari to the United
Circuit Court of App
for the Fifth Circuit

On consideration of the petition for a writ o
tiorari herein to the United States Circuit Court of
peals for the Fifth Circuit, and of the argume
of counsel thereupon had, as well in support o
against the same, It is now here ordered by th
Court that said petition be, and the same is
denied.

per Mr. Chief Justice Whi

The Central Railroad of New Jersey, owner of the Steamtug "Plymouth", vs. Philadelphia & Reading Railway Co., Charterer of the Steamship "Williamsport", etc. — Petitioner, — On petition f
writ of certiora
to the United
Circuit Court
Appeals for th
Third Circuit

On consideration of the petition for a writ of c
rari herein to the United States Circuit Cour
Appeals for the Third Circuit, and of the argum
of counsel thereupon had, as well in support of
against the same, It is now here ordered by the

Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

23. Roger Sherman, Successor in trust of P. L. Sherman, deceased, and D. H. Pinney, vs Plaintiffs in Error, Libbie Goodwin — In Error to the Supreme Court of the Territory of Arizona

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice White

762. W. H. Tolliver and Saphronia Tolliver, his wife, vs. Appellants, The Great Northern Railway Co. — Appeal from the United States Circuit Court of Appeals for the Ninth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit and on motion to dismiss which was argued by counsel. On

adjudged and decreed by this Court that the
Appeal be, and the same is hereby, dismissed
for the want of jurisdiction.

Per Mr. Chief Justice Wh

Omaha & Council Bluffs
Street Railway Co. et al.,
vs. Appellants,
Interstate Commerce
Commission et al.

No. 416.

Per curiam: T
the authority of
Statutes, Section
Ex parte Milwa
Railroad Compa
Wall. 188; Leona
Ozark Co., 115 U.S. 465, 468; In re Glassen, 1
U.S. 200, 207; In re McKenzie, 180 U.S. 536,
United States v. Shipp 203 U.S. 563, 573; a
upon full consideration of the facts bearing up
the propriety of the appellants' motion for an
to maintain the status quo pending this ap
it is ordered that the enforcement of the order
the Interstate Commerce Commission entered
vember 27, 1909, and drawn in question in th
case, be, and it is, suspended and enjoined d
the pendency of this appeal, upon condition tha
within ten days hereafter the appellants execu
unto the Interstate Commerce Commission, an
file in this cause, a good and sufficient bond
the sum of $10,000.00 with sureties to be appro
by the Clerk of this court, and conditioned tha
the appellants will promptly pay any and all
damages which may be suffered by their rece
passengers and intended passengers by reason
the granting or continuance of this order, if it

adjudged ultimately that the order of the Interstate Commerce Commission, drawn in question in this case, is a valid one.

Per Mr. Chief Justice White.

517 The United States, Plaintiff in Error, vs. Robert Jamieson. Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

611 The United States, Plaintiff in Error, vs. Nord Deutscher Lloyd. Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

19 Richard G. Peters, Appellant, vs. Napoleon B. Broward et al. as Trustees, etc. et al. Mr. W. S. Jennings, of counsel for the appellees presented a stipulation to substitute Albert W. Gilchrist for Napoleon B. Broward, as trustee, and Park Trammell for W. B. Lamar, as trustee, as parties appellees herein. Whereupon, It is now here ordered by the Court that the said Albert W. Gilchrist and Park Trammell, as trustees, be and they are hereby substituted for Napoleon B. Broward and W. B. Lamar as trustees, as parties appellees herein.

this cause.

Chicago, Rock Island & Pacific Railway Co.,
vs. Plaintiff in Error.
C. W. Bradbury

The motion to
or affirm and
damages in
cause was sub
to the considera

of the Court on printed arguments by Mr. Joh
Myerly and Mr. Horatio F. Dale, of counsel fo
defendant in error in support of the motion,
by Mr. L. Russell Alden and Mr. Carroll M
of counsel for the plaintiff in error in opposition

Railroad Commission of Ohio,
vs. Appellant.
B. A. Worthington, Receiver, etc.

The petition for
writ of certiora
herein was sub
to the consider
of the Court on
ed arguments

Thomas N. Hogsett and Mr. Timothy S. Hogan
counsel for the appellant, in support of the same
Mr. William B. Sanders, of counsel for the app
in opposition thereto

Railroad Commission of Ohio,
vs. Appellant.
B. A. Worthington, Receiver, etc.

The motion to co
date this cause wa
and to advance
case No. 505, was
mitted to the consi
tion of the Court
Thomas N. Hogsett

Mr. Timothy S. Hogan, of counsel for the appell

in support of the motion, and by Mr. William B. Sanders and Mr. W. M. Duncan, of counsel for the appellee in opposition thereto.

776. Railroad Commission of Ohio, vs. Appellant. B. A. Worthington, Receiver, etc. — Mr. W. M. Duncan and Mr. William B. Sanders, of counsel for the appellee, submitted to the consideration of the Court a motion for leave to file certain exhibits in the cause.

827. Charles L. Smith, Owner, etc., vs. Petitioner. Cornelius A. Davis, Claimant, etc.

828. Charles L. Smith et al., vs. Petitioners. Cornelius A. Davis et al.

The petition for writs of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward C. Goodwin in behalf of Mr. Edward E. Blodgett and Mr. F. M. Brown in support of the same, and by Mr. Edward S. Dodge in opposition thereto.

301. J. A. Scrivner Co., vs. Appellant. Ferguson-McKinney Dry Goods Co. — Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called to the attention of the Court by Mr. George W. Winstead, of counsel for

stipulation of counsel for the respective parties to
the decision in the case of J. A. Scriven Company
Appellant, v. Rice Stix Dry Goods Company, N
299 on the docket for the present term, has been
Therefore, in pursuance of said stipulation, It is
now here ordered, adjudged and decreed by the
Court that this appeal be, and the same is here
dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

34. Juan M. Ceballos, et al., vs. Anderson C. Wilson.

On motion of Mr. E
Browne, in behalf of
counsel, It is order
by the Court that the
cause be, and the same is hereby, passed, subject
the provisions of section 9 of rule 26.

35. W. J. McNaughton, Plaintiff in Error, vs. The State of Georgia.

Mr. T. S. Felder, of c
sel for the defendan
in error, submitted
the consideration o
the Court a motion to advance this cause.

38. Charles F. Consaul et al., Administrators, etc., Appellants, vs. Horace S. Cummins, Administrator, etc.

The argument of th
cause was commen
by Mr. Charles F. C
saul, of counsel for t
appellants; contine
by Mr. Charles Cowl
Tucker, of counsel for the appellee, and concluded
Mr. A. S. Worthington, of counsel for the appellants.

37. The City of Chicago, Plaintiff in Error. vs. Frank Sturges. This cause was argued by Mr. John W. Peck with and Mr. Joseph T. Grossman, of counsel for the plaintiff in error. The Court declined to hear counsel for the defendant in error.

41 The Vessel "Abby Dodge" etc., Appellant. vs. The United States. The argument of this cause was commenced by Mr. Edward R. Gunby, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Tuesday, November 7th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton — Associate
Charles E. Hughes — Justices.
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that W. H. Mahony, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James C. Jeffery, it is ordered that Louis C. Ehle, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

369.	Western Union Telegraph Co., vs. The State of Minnesota	In Error to the Supreme Court of the State of Minnesota

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed, Clerk's costs to be paid by the plaintiff in error.

Per Mr. Chief Justice White.

41.	The Vessel "Abby Dodge" etc., vs. The United States.	Appellant.

The argument of this cause was continued by Mr. Edward R. Gunby of counsel for the appellant, and concluded by Mr. Solicitor General Lehmann, of counsel for The United States.

142.	Theodore R. Converse, Receiver, etc., vs. Caroline A. Hamilton	Plaintiff in Error;
143.	Theodore R. Converse, Receiver, etc., vs. Jenova S. McCauley.	Plaintiff in Error;

These cases were argued by Mr. C. A. Severance, of counsel for the plaintiff in error, and by Mr. Charles E. Buell, of counsel for the defendants

362. The United States, Plaintiff in Error, vs. Herman F. Garbish

This cause was argued by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, and by Mr. E. D. Saunders, of counsel for the defendant in error.

44. Richard Ferris, Plaintiff in Error, vs. Charles Frohman et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles H. Aldrich, of counsel for the plaintiff in error, and by Mr. Levy Mayer, of counsel for the defendants in error.

Tang Tun et al., Petitioners, vs. Harry Edsell, Chinese Inspector, etc.

This cause was argued by Mr. Assistant Attorney General Harr, of counsel for the respondents, and submitted on a printed argument by Mr. James A. Kerr, of counsel for the petitioners.

46. Cross Lake Shooting & Fishing Club, Plaintiff in Error, vs. State of Louisiana

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of rule 26, per stipulation of counsel.

Proclamation being made, the Court was adjourned

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Percy W. Gardner, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Horace H. Dodge, it is ordered that James L. Putnam, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

56. Aluminum Co. of America, Plaintiff in Error, vs. George N. Ramsey

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. U. M. Rose, Mr. G. B. Rose, Mr. W. E. Hemingway and Mr. J. F. Loughborough, of counsel for the plaintiff in error, and by Mr. Henry M. Armistead, and Mr. T. M. McHaffy, of counsel for the defendant in error.

114. Richard G. Peters, Appellant, vs. Albert W. Gilchrist et al., as Trustees, etc.

The argument of this cause was commenced by Mr. John Stevens Maxwell, of counsel for the appellant; continued by Mr. W. S. Jennings, of counsel for the appellees, and concluded by Mr. William A. Blount of counsel for the appellees.

115. Standard Oil Co. of Indiana, Plaintiff in Error, vs. The State of Missouri on information of the Attorney General et al.

116. Republic Oil Company, Plaintiff in Error, vs. The State of Missouri, on information of the Attorney General et al.

The argument of these cases was commenced by Mr. Frank Hagerman, of counsel for the plaintiffs in error, and continued by Mr. Elliott W. Major and Mr. Charles G. Revelle, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. S. V. Hayden, it is ordered that Harry A. Dow, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maxwell Evarts, it is ordered that Edward D. Osborn, Esquire, of Topeka, State of Kansas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Pacific States Telephone & Telegraph Co., Plaintiff in Error,
vs.
36. The State of Oregon ex rel. Sam A. Kozer, Defendant in Error.

On motion of Mr. John T. Dye, in that behalf, leave

brief herein as amicus curiae.

Bunk's Law Publishing Co., Appellant. Appeal from th
vs. States Circuit
The Lawyers' Cooperative of Appeals for
Publishing Co. Second Circuit

It appearing to the Court that a stipulatio
counsel for the respective parties to dismiss
appeal has been filed, Therefore, in pursuan
of said stipulation, it is now here ordered,
judged and decreed by this Court that this
be, and the same is hereby, dismissed, each
to pay its own costs in this Court.

Per Mr. Chief Justice W

John C. Hamilton. In Error to the
vs. Plaintiff in Error. Court of the Sta
John A. Roebling's Sons Ohio.
Company et al.

This cause having been called for hearing in
regular order, and it appearing to the Court
the parties have failed to print the transcript
the record, It is, therefore, in pursuance of the
rule of this Court, now here ordered and adjud
by this Court that the writ of error in this cause
and the same is hereby dismissed with costs.

Per Mr. Chief Justice Wh

Standard Oil Co., of Indiana,
vs. Plaintiff in Error.
The State of Missouri on information of the Attorney General et al.

Republic Oil Company,
vs. Plaintiff in Error.
The State of Missouri on information of the Attorney General et al.

The argument of these cases was concluded by Mr. Frank Hagerman, of counsel for the plaintiffs in error.

M. Kahn & Brother,
vs. Plaintiff in Error,
J. F. Bledsoe, Trustee, etc.

continued

It is now here ordered by the Court that this cause be, and the same is hereby,

L. B. Kindred et al.,
vs. Appellants,
Union Pacific Railroad Co.

This cause was argued by Mr. Edward D. Osborn, of counsel for the appellants, and by Mr. Maxwell Evarts, of counsel for the appellee.

586. The United States,
vs. Plaintiff in Error,
James A. Patten et al.

On motion of Mr. John C. Spooner, of counsel for the defendants in error,

one-half
one and ½ hours additional time is allowed each side in the argument of this cause. The argument

Thursday, November 9th. 1911, continued.

Senator Lehmann, of counsel for the plaintiff in error, and continued by Mr. John C. Spooner, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
} Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Jesse R. Long, it is ordered that Hobart P. Young and Allen C. Mills, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Pitts, it is ordered that Montague S. Reed, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that George J.

to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

62. Dorset Carter, J. F. Sharp et al vs. J. George Wright, Commissioner to the Five Civilized Tribes. Appellants, Appeal from the Circuit Court of the United States for the Eastern District of Oklahoma.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

516. The United States, vs. James A. Patten et al. Plaintiff in Error. The argument of this cause was continued by Mr. John C. Spooner and Mr. George P. Merrick, of counsel for the defendants in error, and concluded by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error.

52. The United States, vs. Albert Eckstein Petitioner. This cause was argued by Mr. Assistant Attorney General Wemple, of counsel for the petitioner and by Mr. Wade H. Ellis of counsel for the

53. N. N. Grigsby. vs. R. L. Russell et al., Administrators, &c. et al

Petitioner.

The argument of this cause was commenced by Mr. Montague S. Kass, of counsel for the petitioner.

(Proclamation being made, the court is adjourned

Monday, November 13th, 1911.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Marion Butler, it is ordered that Richard F. Goldsborough, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Henry P. Blair, it is ordered that Ralph S. Rounds, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William R. Harr, it is ordered that John F. Cusick, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and

seller of this Court, and he was sworn accordingly.

247. Southern Pacific Co., Plaintiff in Error, vs. The Commonwealth of Kentucky on relation of George A. Alexander et al., Revenue Agents. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lurton.

19. Isobel A. Lenman, Appellant, vs. Thomas R. Jones. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, and judged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Kulem Company, Appellant,
vs. Appeal from the United
Harper Brothers, Marc States Circuit Court of
Klaw, Abraham Erlanger, Appeals for the Second
and Henry L. Wallace Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Justice Holmes

The Interstate Commerce Commission, Appeal from the
Circuit Court of the
vs. Appellant, United States for
Harry J. Diffenbaugh, the Western District
Edmund D. Bigelow and of Missouri.
Charles W. Louedale, as
Officers and Members of the
Board of Trade of Kansas
City, et al.

This cause came on to be heard on the transcript

States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

286 The Interstate Commerce Commission, Appellant. vs. F. H. Peavey & Co. et al. } Appeals from the Circuit Court of the United States for the Western District of Missouri.

287 Union Pacific Railroad Co., Appellant. vs. F. H. Peavey & Co., et al. }

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be modified as indicated in the opinion of this Court, and, as so modified, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

The United States.
vs. Plaintiff in Error.
Robert Jamieson

On consideratio
the motion to
vance this cau
It is now here
dered by the Court that said motion be, and
same is hereby, granted, and the cause assig
for argument on Monday, January 8, 1912, a
the cases heretofore assigned for that day.
Per Mr. Chief Justice W

The United States,
vs. Plaintiff in Error,
Nord Deutscher Lloyd.

On consideratio
of the motion
advance this
It is now here
dered by the Court that said motion be, and
same is hereby, granted, and the cause assign
for argument on Monday, January 8, 1912, aft
the cases heretofore assigned for that day.
Per Mr. Chief Justice W

W. J. McNaughton.
vs. Plaintiff in Error,
The State of Georgia.

On consideratio
of the motion
advance this ca
It is now here
dered by the Court that said motion be, and th
same is hereby, granted, and the cause assign
for argument on Monday, January 8, 1912, aft
the cases heretofore assigned for that day.
Per Mr. Chief Justice Wh

776. Railroad Commission of Ohio, vs. Appellant. B. A. Worthington, Receiver, etc.

On consideration of the motion to consolidate case No. 505 on the docket of this Court for the present term, with this case, to dispense with the printing of the record in said last named case, and the motion to advance said consolidated case, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that said consolidated case be assigned for argument on Monday, January 8, 1912.

Per Mr. Chief Justice White

827. Charles L. Smith, managing owner of the Schooner "Lejok," vs. Petitioner. Cornelius A. Davis, claimant of the Schooner "Gov. Ames" &c.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Charles L. Smith et al., Petitioners,
vs.
Cornelius A. Davis,
Joseph F. Davis et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice White.

Railroad Commission of Ohio, Appellant.
vs.
B. A. Worthington, Receiver, etc.

On consideration of the motion for leave to file certain exhibits herein, It is now here ordered by the Court that said motion be, and the same is hereby granted without prejudice.

Chicago, Rock Island & Pacific Railway Co., Plaintiff in Error.
vs.
C. W. Bradbury.

In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa; and on motion to dismiss or affirm, or

was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

The Chief Justice announced that the Court will take a recess from Monday, the 20th instant, to Monday, December 4 next.

Portland Railway, Light & Power Co.,
374/375. vs. Plaintiff in Error.
Railroad Commission of Oregon.

Mr. Frederick S. Tyler in behalf of counsel for the defendant in error, submitted to the consideration of the Court a motion

to advance these cases.

Allesandra Bolognesi et al., etc.,
337. vs. Petitioners.
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Frederick S. Tyler in behalf of Mr. A. S. Gilbert, in support of the same, and leave was granted Mr. Solicitor General Lehmann to file a brief in opposition thereto on or before Friday next.

Walter B. Lawrence, etc.,
vs. Appellant,
The Southern Pacific Co.,
et al.

The motion to a
this cause und
thirty second r
was submitted
consideration o
Court by Mr. Frederic D. McKenney in behal
Mr. A. J. Dittenhoefer, Mr. David Gerber an
N. Snowden Marshall, of counsel for the app
in support of the motion, and by Mr. Arthur
Van Brunt and Mr. Tompkins McIlvaine,
counsel for the appellees in opposition thereto.

Alexander D. Johnson
et al.,
vs. Appellants,
The Washington Loan &
Trust Co.

Mr. A. S. Worthi
of counsel for th
pellants, havin
filed and ente
the appearance
Nannie Delia Be
individually and as next friend of Rosalie E
Berry and Natalie West Berry, moved the C
to make the said Nannie Delia Berry, indi
ly and as next friend of Rosalie Eugenia Ber
and Natalie West Berry, a party appellant h
Whereupon, It is now here ordered by the Cou
that Nannie Delia Berry, individually and
next friend of Rosalie Eugenia Berry and Na
West Berry, be, and she is hereby, made a par
appellant in this cause.

No. 50 — Philadelphia Company, vs. Jacob M. Dickinson, Secretary of War. Appellant.

Mr. Morgan N. Beach, of counsel for the appellant, suggested the resignation of Jacob M. Dickinson and the appointment of Henry L. Stimson as his successor as Secretary of War, and moved the Court to make the said Henry L. Stimson, as Secretary of War, the party appellee in this cause. Whereupon, It is now here ordered by the Court that Henry L. Stimson, Secretary of War, be, and he is hereby, made the party appellee in this cause.

No. 845. — Colt's Patent Fire Arms Manufacturing Co. et al., vs. New York Sporting Goods Co. Petitioners.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. K. Richardson in support of the same, and Mr. Edmund Wetmore and Mr. Hervey S. Knight in opposition thereto.

No. 846. — Walter Baker & Co., vs. Nestle & Anglo-Swiss Condensed Milk Co. Petitioner,

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Horace A. Dodge, Mr. George Putnam and Mr. James L. Putnam, in support of the same, and Mr. James Hamilton in opposition

548. The Perolin Co. of America, Petitioner. vs. The Coello Waxo Chemical Co. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. C. F. Milans in behalf of Mr. Hugh K. Wagner and Mr. John W. Hill in support of the same, and Mr. Paul Bakewell in opposition thereto.

543. S. C. Lillis, Petitioner. vs. The United States. — The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles N. Bates and Mr. P. J. Dunne in support of the same and leave was granted Mr. Solicitor General Lehmann to file a brief in opposition thereto on or before Friday next.

526. The Missouri & Kansas Interurban Railway Co., Plaintiff in Error, vs. The City of Olathe, Kansas. — The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Stephen N. Allen, of counsel for the defendant in error in support of the motion, and by Mr. Frank Doster, of counsel for the plaintiff in error in opposition thereto.

The Missouri & Kansas Interurban Railway Co., et al.,
726, 728. vs. Plaintiffs in Error.
The City of Olathe, Kansas.

The motion to dismiss in these cases was submitted to the consideration of the Court on the record in case No. 727 and printed arguments by Mr. Stephen N. Allen, of counsel for the defendant in error in support of the motion, and by Mr. Frank Doster, of counsel for the plaintiffs in error, in opposition thereto.

Louisville & Nashville Railroad Co.,
64. vs. Appellant.
The F. W. Cook Brewing Co.

This cause was submitted to the consideration of the Court pursuant to the twentieth rule by Mr. Henry L. Stone and Mr. Philip W. Frey, of counsel for the appellant, and by Mr. George A. Cunningham, of counsel for the appellee, and leave was granted counsel for the appellee to file a brief within thirty days.

Eugene M. Thayer,
65. vs. Plaintiff in Error.
Elijah M. Schaben et al.

It is ordered by the Court that this cause be, and the same is hereby, passed.

A. N. Grigsby,
vs. Petitioner.
R. L. Russell et al.,

The argument of this cause was continued

of counsel for the respondents, and concluded by Mr. John A. Pitts, of counsel for the petitioner.

57. Conrad T. Struckmann, et al., Appellants, vs. The United States. This cause was argued by Mr. Vincent P. Donihee, of counsel for the appellants, and by Mr. Solicitor General Lehmann, of counsel for the appellee.

58. American Railroad Co., of Porto Rico, Appellant, vs. Central San Cristobal. Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and the appellant having been three times solemnly called by the Marshal to come into Court and prosecute its appeal, and failing to appear, it is thereupon, in pursuance of the 16th rule of this Court, and on the motion of Mr. Henry P. Blair, of counsel for the appellee, now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the said District Court to be proceeded in according to law and justice.

Per Mr. Chief Justice White.

The United States. The argument of this cause
1/0 ... vs. Petitioner. was commenced by Mr.
Leopold Barnes. Assistant Attorney General
Wemple, of counsel for the
petitioner, and continued by Mr. Wade H. Ellis,
of counsel for the respondent.

Proclamation being made, the Court is adjourned

Tuesday, November 14th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton — Associate
Charles E. Hughes — Justices.
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Ernest Knaebel, it is ordered that Ernest Morris, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Catherine Lehman et al., Plaintiffs in Error,
vs. In Error to the
The State of Indiana on the Appellate Court of
relation of Charles W. Miller, the State of Indiana.
Attorney General.

It appearing to the Court that a motion of counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered

and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

67. H. L. Denoon et al., Plaintiffs in Error, vs. The Tax Title Co. of Richmond — In Error to the Supreme Court of Appeals of the State of Virginia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

68. Marion W. Savage, Appellant, vs. William J. Jones, Jr., State Chemist, etc. — On motion of Mr. William G. Henderson, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby passed, subject to the provisions of section 9 of rule 21.

140. The United States, Petitioner, vs. Leopold Baruch. — The argument of this cause was continued by Mr. Wade H. Ellis, of counsel for the respond-

Wemple of counsel for the petitioner.

60.	The United States of America ex rel. Lucy Ann Turner et al., vs. Plaintiffs in Error, Walter L. Fisher, Secretary of the Interior.	These cases were argued by Mr. Charles H. Merillat of counsel for the plaintiffs in error, and by Mr. Assistant Attorney General Harr, of counsel for the defendant in error.
1145	The United States of America ex rel. Lillie Lowe et al., vs. Plaintiffs in Error, Walter L. Fisher, Secretary of the Interior.	
61.	Antonio Joaquin Luis Sanchez de Larragoiti et al., vs. Plaintiffs in Error, Salvador Castillo et al.	It is ordered by the Court that this cause be, and the same is hereby, continued
63.	The United States of America et al., vs. Plaintiffs in Error, Congress Construction Co. et al.	The argument of this cause was commenced by Mr. Assistant Attorney General Harr, of counsel for The United States.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Starr J. Murphy, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States of America, et al.. vs. Plaintiffs in Error, Congress Construction Co. et al.

63.

The argument of this cause was concluded by Mr. Assistant Attorney General Harr of counsel for The United States,

and the cause was submitted on printed arguments by Mr. Jesse R. Long, of counsel for San American Construction Co. et al, certain plaintiffs in error, and by Mr. Allen G. Miles,

The United States ex rel.
Mary S. Ness,
vs. } Plff in Error.
Walter L. Fisher, Secretary
of the Interior.

No. 66

The cause was argued by Mr. Samuel Herrick of counsel for the plaintiff in error, and by Mr. Assistant Attorney General Knaebel of counsel for the defendant in error.

The United States,
vs. } Appellant.
The Fidelity Trust
Co. &c.

No. 71

The cause was argued by Mr. Assistant Attorney General Harr of counsel for the appellant, and by Mr. Paul Fuller, of counsel for the appellees.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna,
Oliver Wendell Holmes,
Horace H. Lurton, Associate
Charles E. Hughes, Justices
Willis Van Devanter,
Joseph R. Lamar,
John M. Wright, Esquire, Marshal,
James H. McKinney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Charles F. Wilson, it is ordered that Donald Thompson and James M. Magee, Esquires, of Pittsburgh, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Stephen A. Day, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States ex rel. Louis F. Allardt, vs. Matthew J. Long, Criminal Sheriff of the Parish of Orleans. Appellant.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

384. Gabriel Diaz, vs. The United States. Plaintiff in Error.

This cause was argued by Mr. Frederic R. Coudert, of counsel for the plaintiff in error, and Mr. Solicitor General Lehmann, of counsel for the defendant in error.

70. Philadelphia Company, vs. Henry L. Stimson, Secretary of War. Appellant.

This cause was argued by Mr. William L. Marbury, of counsel for the appellant and Mr. Assistant Attorney General Knaebel, of counsel for the appellee.

Spencer S. Wood,
vs. Appellant.
The United States.

The argument of this cause was commenced by Mr. George A. King, of counsel for the appellant.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Friday, November 17th. 1911.

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

71. Spencer S. Wood, Appellant, vs. The United States

The argument of this cause was continued by Mr. George A. King, of counsel for the appellant, and Mr. Assistant Attorney General Thompson of counsel for the appellee, and concluded by Mr. George A. King, of counsel for the appellant.

72. Bankers Brothers Co., Plaintiff in Error, vs. The Commonwealth of Pennsylvania

The argument of this cause was commenced by Mr. Edward J. Kent, of counsel for the plaintiff in error; continued by Mr. George N. Calvert, of counsel for the defendant in error, and concluded by Mr. Harvey A. Miller, of counsel for the plaintiff in error.

Frederick H. Voyt,
vs. Appellant.
Charles Graff et al.

This cause was argued by Mr. John C. Gillings, of counsel for the appellant, and by Mr. Leon Sobriner and Mr. J. J. Darlington of counsel for the appellees

Jesse B. Huse,
vs. Appellant.
The United States

This cause was argued by Mr. E. C. Brandenburg of counsel for the appellant and by Mr. Assistant Attorney General Thompson, of counsel for The United States

Proclamation being made, the Court is adjourned un

Monday. November 20th, 1911.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Frederick S Tyler, it is ordered that Frederick Foster, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that Charles M. Johnston, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. P. Bryan, it is ordered that Alston Cockrell, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this

Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas F. Sheridan, it is ordered that Walter A. Scott, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. V. Cushman, it is ordered that William B. Greenough, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred P. Thom, it is ordered that John K. Graves, Esquire, of University, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. B. Jaynes, it is ordered that Thomas M. Kennerly, Esquire, of Houston, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

George D. Bryan, Collector of the Port of Charleston, Petitioner, vs. Roxana S. Ker, Executrix of W. W. Ker, deceased.

On writ of cert to the United Circuit Court Appeals for the Circuit

This cause came on to be heard on the tra of the record from the United States Circuit C Appeals for the Fourth Circuit, and was ar by counsel. On consideration whereof, It is here ordered and adjudged by this Court th judgment of the said United States Circuit C of Appeals in this cause be, and the same is reversed with costs, and that the judgment of Circuit Court of the United States for the Dist South Carolina be, and the same is hereby, affir with costs; and that this cause be, and the sa hereby, remanded to the said Circuit Court.

Per Mr. Justice Van Dev

Wesley C. Richardson, Lafayette S. Sullivan and Nancy E. Jones, Appellants, vs. Judson Harmon, Receiver of the Toledo Terminal Railway Co.

Appeal from th trict Court of United States f Northern Distri Ohio.

This cause came on to be heard on the tran of the record from the District Court of the U States for the Northern District of Ohio and

argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in accordance with the opinion of this Court.

Per Mr. Justice Lurton

J. B. Curtin, Appellant, vs. H. C. Benson et al. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in accordance with the opinion of this Court.

Per Mr. Justice McKenna

Mary N. Hussey, Administratrix of Hannah S. Crane, deceased, et al., vs. The United States. — Appellants,

Appeal fr
Court of C

No. [illegible]

This cause came on to be heard on the tr
of the record from the Court of Claims, and
argued by counsel. On consideration wh
It is now here ordered and adjudged by
Court that the judgment of the said Cou
Claims, in this cause be, and the same is
affirmed.

Per Mr. Justice McKen

Alessandro Bolognesi and William Hartfield, composing the firm of Bolognesi, Hartfield & Co., vs. The United States — Petitioners.

On petition fo
of certiorari t
United States
Court of Appe
for the Second

No. 339

On consideration of the petition for a writ
tiorari herein to the United States Circuit C
of Appeals for the Second Circuit, and of the
ment of counsel thereupon had, as well in sup
as against the same, It is now here ordered by
Court that said petition be, and the same is
denied.

Per Mr. Chief Justice Wh

840. Walter Baker & Co., Limited, Petitioner, vs. Nestle & Anglo-Swiss Condensed Milk Co. — On petition for writ of certiorari to the Court of Appeals of the District of Columbia

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

843. S. C. Lillis, Petitioner, vs. The United States — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

No 348. Colts Patent Fire Arms Manufacturing Co. and John M. Browning, vs. New York Sporting Goods Co. Petitioners. On petition for certiorari to the States Circuit of Appeals for Second Circu

On consideration of the petition for a writ of certiorari to the United States Circuit Court of for the Second Circuit, and of the argument of sel thereupon had, as well in support of as a the same, It is now here ordered by the Co said petition be, and the same is hereby, den

per Mr. Chief Justice

No 349. The Berolin Co. of America, vs. Petitioners, Coltts Waxo Chemical Co. On petition for w certiorari to the States Circuit of Appeals for t

Eighth Circuit.

On consideration of the petition for a writ certiorari herein to the United States Circuit Co Appeals for the Eighth Circuit, and of the ar of counsel thereupon had, as well in support of against the same, It is now here ordered by t Court that said petition be, and the same is denied.

per Mr. Chief Justice W

374.	Portland Railway, Light & Power Co., vs. Plaintiff in Error. Railroad Commission of Oregon.	On consideration of the motion to advance these cases, It is now here ordered by the Court that the said motion be, and the same is hereby, denied. per Mr. Chief Justice White.
375.	Portland Railway, Light & Power Co., vs. Plaintiff in Error. Railroad Commission of Oregon.	
431.	Walter B. Laurence, etc., vs. Appellant. The Southern Pacific Co et al.	On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied. per Mr. Chief Justice White.
597.	The United States, vs. Petitioner. Wong You et al.	Mr. Assistant Attorney General Harr, of counsel for the petitioner, submitted to the consideration of the Court a motion to advance this case.
709.	The Interstate Commerce Commission et al., vs. Appellants, The Baltimore & Ohio	Mr. Assistant Attorney General Harr, of counsel for the appellants, submitted to

the Court a motion to advance this cause

732. The United States et al., Appellants, vs. The Baltimore & Ohio Railroad Co. et al.

Mr. Assistant ney General A of counsel for appellants, su to the consider

of the Court a motion to advance this cause

160. The Ontario Land Co., Appellant, vs. Charles W. Wilfong et al.

Mr. A. L. Agate counsel for the lant, suggested deach of Walte

Reed, one of the appellees herein, and moved t Court to make Lydia McMillan Reed, as Exe of the estate of the said Walter J. Reed, deceased party appellee in this cause. Whereupon, It is here ordered by the Court that Lydia McMi Reed, as Executrix of the estate of Walter J. Re ceased, be, and she is hereby, made a party ap in this cause.

556. The Title Guaranty & Surety Co., Plaintiff in Error, vs. The United States to the use of The General Electric Co.

The motion to supersedeas in cause was sub to the considera of the Court on ed arguments by

Louis Bancroft Runk and Mr. N. B. Gile, of cou for the defendant in error in support of the moti and by Mr. Russell N. Robbins and Mr. James

Campbell, of counsel for the plaintiff in error, in opposition thereto.

408. The People of Porto Rico, Appellants, vs. Manuel Rosaly y Castillo. Mr. Felix Frankfurter, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

841. Metropolitan Water Co., Appellant, vs. The Kaw Valley Drainage District, etc. Mr. John W. Yerkes in behalf of Mr. Willard P. Hall, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause under the thirty-second rule.

864. Electric Supply Co., et al., Petitioners, vs. Weed Chain Tire Grip Co. et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Thomas F. Sheridan in support of the same, and by Mr. Edward Reelor and Mr. Frederick S. Duncan in opposition thereto.

861. American Trust Co., Trustee, Petitioner vs. The Metropolitan Steamship Co. et al. The petition for a writ of certiorari herein was submitted to the consideration of the

guments by Mr. J. Markham Marshall in support of the same, and by Mr. C. A. Wight and Mr. William Hall West in opposition thereto.

Proclamation being made, the Court is adjourned until Monday, December 4th, at twelve o'clock.

Pursuant to adjournment, the Court met today,
at the Capitol

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frank Hagerman it is ordered that William G. Holt, Esquire, of Kansas City, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. V. Cushman, it is ordered that Albert J. Elliot, Esquire, of San Francisco, State of California, and Clyde L. Rogers, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

by Mr. John A. Kratz, Jr., it is ordered tha
Joseph N. Schultz, Esquire, of New York C
admitted to practice as an attorney and c
sellor of this Court, and he was sworn acc
ly.

On motion first made to the Court in this
by Mr. Attorney General Wickersham, it is
that Aloysius J. McCormick, Esquire, of L
Angeles, State of California, be admitted to p
tice as an attorney and counsellor of this Co
and he was sworn accordingly.

On motion first made to the Court in this Co
by Mr. John W. Kern, it is ordered that John
R. Browne, Gus S. Condo, and George W. Rauc
Esquires, of Marion, State of Indiana, be a
ted to practice as attorneys and counsellors
this Court, and they were sworn accordingly.

On motion first made to the Court in this C
by Mr. W. T. Thompson, it is ordered that
C. Foster and William M. Morning, Esqui
of Lincoln, State of Nebraska, be admitted
practice as attorneys and counsellors of thi
Court, and they were sworn accordingly.

On motion first made to the Court in this Co
by Mr. Solicitor General Lehmann, it is ordere
that T. L. Anderson, Esquire, of Middlesboro,
of Kentucky, be admitted to practice as an att

and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. L. Withington, it is ordered that C. W. Ashford, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. Chamberlain, it is ordered that Arthur C. Emmons and John F. Logan, Esquires, of Portland, State of Oregon, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. S. Curtis, it is ordered that Thomas Stokes, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward Engerud, it is ordered that N. C. Young, Esquire, of Fargo, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morgan N. Beach, it is ordered that William E. Tindall, Esquire, of Alexandria, State of Virginia, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

The United States of America ex rel. Lucy Ann Turner et al., Plaintiffs in Error, vs. Walter L. Fisher, Secretary of the Interior. In Error to the Court of Appeals of the District of Columbia.

60

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

Banker Brothers Co., Plaintiff in Error, vs. Commonwealth of Pennsylvania. In Error to the Superior Court of the State of Pennsylvania.

72

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and

adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

353. Union Pacific Railroad Co., Plaintiff in Error, vs. The Updike Grain Co., Nebraska-Iowa Grain Co. & Crowell Lumber & Grain Co. | In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

354. Union Pacific Railroad Co., Plaintiff in Error, vs. The Updike Grain Co. and Crowell Lumber & Grain Co.

355. Union Pacific Railroad Co., Plaintiff in Error, vs. The Updike Grain Co.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, on separate writs of error, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Nebraska.

Per Mr. Justice Lamar.

No. 256. Union Pacific Railroad Co., Plaintiff in Error, vs. The Updike Grain Co. In Error to the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Nebraska.

Per Mr. Justice Lamar.

Mr. Justice McKenna and Mr. Justice Hughes concur in the result.

No. 53. Captain John I. Martin, Sudden & Christenson et al., Plaintiffs in Error, vs. A. J. West. In Error to the Supreme Court of the State of Washington

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest.

until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Washington

per Mr. Justice Van Devanter

63. The United States of America, San American Bridge Co. Denny-Renton Clay & Coal Co., et al., Plaintiffs in Error, vs. Congress Construction Co. S. N. Crowen and Peter J. Reynolds

In Error to the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Van Devanter

736. The Missouri & Kansas Interurban Railway Co., Plaintiff in Error, vs. The City of Olathe, Kansas.

In Error to the Supreme Court of the State of Kansas

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas

argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Hughes

The Missouri & Kansas Interurban Railway Co., William B. Strang, F. R. Ogg et al., Plaintiffs in Error, vs. The City of Olathe, Kansas. — In Error to the Supreme Court of the State of Kansas.

No. 728.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Justice Hughes

The Missouri & Kansas Interurban Railway Co., William B. Strang, F. R. Ogg et al., Plaintiffs in Error, vs. The City of Olathe, Kansas. — In Error to the Supreme Court of the State of Kansas.

No. 728.

This cause came on to be heard on the

of the record from the Supreme Court of the State of Kansas, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Hughes.

A. Sandoval and P. Sandoval,		Appeal from the Supreme Court of the
14.	vs. Appellants,	Territory of Arizona.
Epes Randolph.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, ad judged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar decrees bear in the courts of the Territory of Arizona.

per Mr. Justice Lurton.

Peter Anderson,		In Error to the
27.	vs. Plaintiff in Error.	Supreme Court of
The United Realty Co., the Dow-Snell Co., John P. Freeman et al.		the State of Ohio.

of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lurton.

The United States,	In Error to the District
448 vs. Plaintiff in Error,	Court of the United
George F. Stever, J. B. Stever,	States for the Western
and Harry I. Bull.	District of Kentucky

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Kentucky, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Lurton.

The United States,	In Error to the Circuit
452 vs. Plaintiff in Error,	Court of the United
Charles F. Munday and	States for the Western
Chas. W. Shiels.	District of Washington

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Washington,

and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Lurton

A. H. Grigsby, Petitioner, vs. R. L. Russell and Lillie Burchard, Administrators of John C. Burchard, deceased

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs, and that the decree of the Circuit Court of the United States for the Middle District of Tennessee be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to said Circuit Court.

per Mr. Justice Holmes

(Mr. Justice Lurton took no part in the decision of this

The United States,
vs. Appellant.
The Fidelity Trust Co.
(formerly The Fidelity,
Insurance, Trust & Safe
Deposit Co.) as Executor
and Trustee under the last
will and testament of
Walter N. Tilden, deceased.

Appeal from the
Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition.

Per Mr. Justice Holmes.

Henry C. Ripley,
vs. Appellant.
The United States.

The United States.
vs. Appellant.
Henry C. Ripley.

It appearing to the Court that the additional findings of fact returned by the Court of Claims in pursuance of the order of this Court entered in this cause on April 24th. 1911, do not conform to said order, It is now here ordered by this Court that such findings be returned to the said Court of Claims to the end that the

vious direction of this Court may be complied with.

per Mr. Chief Justice White.

24. Rafael Enriquez et al., vs. Appellants, Francisco Enriquez and Carmen de la Cavada de Enriquez, his wife. Appeal from the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice White.

25. Rafael Enriquez et al., vs. Appellants, Francisco Enriquez and Carmen de la Cavada de Enriquez, his wife. Appeal from the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdic-

52. The United States, Petitioner vs. Albert Eckstein — On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be and the same is hereby affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Chief Justice White

53. Jeffs, Weller & Co., A. S. Henry & Co., S. E. Heymann & Co. et al. vs. Julian Munsuri — Appellants, — Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White.

21. Julian Munoz,
vs. Plaintiff in Error.
Charles O. Lord, Trustee.

In Error to the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice White

1486. Morris Glicksteen
vs.
The United States.

On a certificate from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Chief Justice White.

Conrad J. Stueckmann.
and Ernest C. H. W. Waege,
57 vs. Appellants.
The United States.

Appeal
the Court

This cause came on to be heard on the tr
of the record from the Court of Claims, and
argued by counsel. On consideration whe
is now here ordered and adjudged by t
that the judgment of the said Court of C
in this cause be, and the same is hereby,

per Mr. Chief Justic

The United States,
347 vs. Petitioner.
Wong You, Wong Chen,
et al.

On consideratio
the motion to
this cause, It
here ordered by
Court that said
be, and the same is hereby, granted, and the
assigned for argument on Monday, January
after the cases heretofore assigned for that da

per Mr. Chief Justic

The Interstate Commerce
Commission and The
United States,
714 vs. Appellants,
The Baltimore & Ohio
Railroad Co., et al.

On considera
the motion to
this cause, I
now here ord
by the Court t
said motion
the same is h
granted and the cause assigned for argum

on Monday, January 8, 1912, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

732. The United States, The Interstate Commerce Commission et al., Appellants vs. The Baltimore and Ohio Railroad Co. et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for hearing on Monday, January 8, 1912, after the causes heretofore assigned for that day.

Per Mr. Chief Justice White.

811. The Metropolitan Water Co., Appellant vs. The Kaw Valley Drainage District, etc.

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 8, 1912, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

1108. The People of Porto Rico, Appellants, vs. Manuel Rosaly y Castillo

On consid... the motion ... vance the ... is now he... by the Court that said motion be, and it ... hereby denied.

Per Mr. Chief Ju...

S 68. American Trust Co., Trustee. Petitioner. vs. Metropolitan Steamship Co., et al.

On petition ... of certiorari ... United Sta... Court of A... the First ...

On consideration of the petition for a ... certiorari herein to the United States Circ... of Appeals for the First Circuit, and of the ... of counsel thereupon had, as well in suppo... against the same, It is now here ordered by ... that said petition be, and the same is her...

Per Mr. Chief Justi...

S 62. Excelsior Supply Co. and Motor Appliance Co., Petitioners. vs. Weed Chain Tire Grip Co., Harry D. Weed and Parsons Non Skid Co.,

On petition ... certiorari to ... States Circu... of Appeals ... Seventh Cir...

On consideration of the petition for a w... tiorari herein to the United States Circuit ... Appeals for the Seventh Circuit, and of the

ment of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

112.	Annie Fairbanks, a minor &c., Appellant. vs. The United States.	On motion of Mr. Solicitor General Lehmann, of counsel for the appellee, It is ordered by the Court that these cases be, and
113.	Edward L. Warren, Appellant. vs. The United States.	

the same are hereby, passed, subject to the provisions of section 9 of rule 24.

123.	Societe Anonyme des Sucreries de St Jean, Plaintiff in Error. vs. The United States.	On motion of Mr. Solicitor General Lehmann, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of rule 24.

344.	Philadelphia, Baltimore & Washington Railroad Co., Plaintiff in Error. vs. Theodore N. Schubert.	The motion to affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John A. Kasl

and Mr. Joseph W. Cox, of counsel for the defen
error in support of the motion, and by Mr. R
D. McKenney, Mr. John Spalding Flannery
Mr. William Hitz, of counsel for the plain
error, in opposition thereto.

Societe Anonyme des
Sucreries de St. Jean,
128 vs. Plaintiff in Error,
The United States.

On motion o
Frederic D. M
ney in that b
leave is here
granted him

withdraw his appearance herein as counse
the plaintiff in error.

Julian Martino Gonzales,
181 vs. Appellant.
Leon Ramos Buitrago et al.

On motion o
Frederic D. M
ney, in that b
leave is hereb

granted him to withdraw his appearance h
as counsel for the appellant.

The United States of
America at the relation,
etc., of Robert D. Kinney,
664 vs. Plaintiff in Error,
The United States Fidelity
& Guaranty Co.

The motion
dismiss or af
in this cause
submitted to
consideration
the Court on
record and fu

arguments by Mr. Thomas Stokes and Mr. B
Henry, of counsel for the defendant in error, in s
port of the motion, and by Mr. Robert D. Ki

in propria persona in opposition thereto.

163. Louis F. Swift et al., Appellants, vs. Luman F. Hoy, U. S. Marshal, etc. The motion for supersedeas and stay and enlargement of appellants on bail was submitted to the consideration of the Court on the record and printed arguments by Mr. John S. Miller and Mr. Levy Mayer, of counsel for the appellants in support of the motion, and by Mr. Attorney General Wickersham and Mr. Assistant Attorney General Harr, of counsel for the appellee, in opposition thereto.

— Ex parte: In the matter of the Leaf Tobacco Board of Trade of the City of New York, Petitioner. Original. The motion for leave to file a petition for writs of mandamus, prohibition and certiorari herein was submitted to the consideration of the Court on the record and a printed argument by Mr. Felix N. Levy and Mr. Benjamin N. Cardozo, of counsel for the petitioner, and the motion was opposed orally by Mr. Attorney General Wickersham.

873. The Second Pool Coal Co., Petitioner, vs. The People's Coal Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on [illegible]

arguments by Mr. Frederick S. Tyler in
of Mr. Lowrie C. Barton in support of
and by Mr. George E. Shaw in opposite

139. Louis Zeckendorf, Appellant. vs. Albert Steinfeld et al.

Albert Steinfeld et al., Appellants vs. Louis Zeckendorf et al.

On motion of
Frederick S
in that beha
now here or
the Court th
cause be, and
same are her

until case No. 218 is reached

512. Thomas H. Pickford et al., Appellants vs. Henry M. Talbott.

The motio
dismiss th
or to place
cause on t

many docket was submitted to the consid
of the Court on the record and printed
ments by Mr. John Ridout, of counsel fo
appellee in support of the motion, and by
H. Prescott Gatley, Mr. Samuel Maddox a
Henry E. Davis, of counsel for the appellan
opposition thereto.

148. William Baird, Plaintiff in Error, vs. Helen S. Howison et al.

The motion
mise in th
was subm
the consid

of the Court on the record and printed a
ments by Mr. John P. Tillman, of coun

the defendants in error in support of the motion, and by Mr. S. C. M. Amason and Mr. Alexander M. Garber, of counsel for the plaintiff in error in opposition thereto

160 The Ontario Land Co. vs. Appellant. Charles W. Wilfong et al — The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Benjamin S. Grosscup, of counsel for the appellee in support of the same, and by Mr. A. L. Agatin and Mr. William W. Billson, of counsel for the appellant in opposition thereto

The People of Porto Rico, vs. Appellant. Pierre Emanuel, Baron de Laurene d'Oisday, — The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Federico Degetau of counsel for the appellee in support of the motion, and by Mr. Paul Charlton, Mr. Foster V. Brown, and Mr. Felix Frankfurter, of counsel for the appellant in opposition thereto

The Territory of New Mexico ex rel Ora Butler Mecee,	Appeal from the Supreme Court of
136 vs. Appellant.	the Territory of New
Ira A. Abbott, Associate	Mexico
Justice, etc.	

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

Frank A. McComber,	Appeal from the Cir-
Henry Thede et al.,	cuit Court of the
1134 vs. Appellants,	United States for the
Alva A. Nicholson et al.	Southern District of
	Iowa.

It appearing to the Court that a motion of counsel for the appellants to dismiss this appeal has been filed, Therefore, in pursuance of said motion it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs

Per Mr. Chief Justice White

The Pullman Co., In Error to the Supreme
768. vs. Plaintiff in Error. Court of the State of
Daisy E. Golden. South Carolina.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White.

Sewers & Cook, Limited, This cause was ar-
69 vs. Appellant, gued by Mr. David
Mary H. Alcherly. L. Withington, of counsel for the appellant, and by Mr. Lyle A. Dickey, of counsel for the appellee.

Allen A. Brown et al., The argument of this
75. vs. Appellants. cause was commenced
The Alton Water Co. by Mr. Elijah N. Zoline, of counsel for the appellants.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, December 5th, 1911.—

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf, by Mr. Solicitor General Lehmann, it is ordered that Howard S. Harrington, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jack Beall, it is ordered that Horton B. Porter, Esquire, of Hillsboro, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hallett F. Rose, it is ordered that Charles A. Freeauff, Esquire, of New York City, be ad-

mitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Brandenburg, it is ordered that Anthony M. Menkel, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

865. Louis F. Swift et al., Appellants, vs. Luman F. Hoy, United States Marshal in and for the Northern District of Illinois. On consideration of the motion for a supersedeas herein and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White.

87 James W. Brach, Appellant, vs. The United States. On motion of Mr. Solicitor General Lehmann, of counsel for the appellee, it is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of rule 26.

75. Allen A. Brown et al., Appellants, vs. The Allen Water Co. The argument of this cause was continued by Mr. Elijah N. Zoline, of counsel for the appellants and by Mr. William Berry, of counsel for the appellee, and concluded by Mr. James Hamilton Lewis, of counsel for the appellants.

76. M. E. Soliah, et al., Plaintiffs in Error, vs. Sven Hesten et al. The argument of this cause was commenced by Mr. Edward Engerud, of counsel for the plaintiffs in error. The Court declined to hear further argument.

77. Theodore Albert Mayer, Appellant, vs. American Security & Trust Co., Executor and Trustee, etc., et al. This cause was argued by Mr. A. S. Worthington and Mr. Edwin C. Brandenburg, of counsel for the appellant, and by Mr. William F. Mattingly, of counsel for the appellees.

78. J. N. Williams, Plaintiff in Error, vs. J. E. Walsh, Sheriff, etc. This cause was argued by Mr. Charles Blood Smith, of counsel for the plaintiff in error and leave was granted counsel for the defendant in error to file a brief on or before Friday next.

Moved a motion being made the Court ad-
journed until tomorrow at ten o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal.
James H. McKinney Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frank B. Kellogg, it is ordered that Everett James Smith, Esquire, of Walla Walla, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church, it is ordered that Joseph Harlan Freeman and Edwin Augustus Packard, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf

Henry Craft, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

No. Southern Railway Co., Plaintiff in Error, vs. L. C. Reid et al. — These cases were argued by Mr. Alfred P. Thom, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

No. Southern Railway Co., Plaintiff in Error, vs. D. L. Reid et al.

No. Fred C. Keeney, individually and as administrator &c., et al., Plaintiffs in Error, vs. The Comptroller of the State of New York. — This cause was argued by Mr. George F. Canfield of counsel for the plaintiffs in error, and by Mr. William Law Stout, of counsel for the defendant in error.

No. The Lincoln Gas & Electric Light Co., Appellant, vs. The City of Lincoln et al. — The argument of this cause was commenced by Mr. Hallock F. Rose, of counsel for the appellant, and continued by Mr. Fred C. Foster, of counsel for the appellees.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. G. Hamilton, it is ordered that Charles Elias Stowers, Esquire, of Wheatland, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Hoehling, Jr., it is ordered that Alexander S. Andrews and Cornelius J. Earley, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf

Lee Burford, Esquire, of Texarkana, Sta
be admitted to practice as an attorne
counsellor of this Court, and he was s
ordingly.

On motion first made to the Court in
by Mr. Edward T. Taylor, it is ordere
Wayne C. Williams, Esquire, of Denv
of Colorado, be admitted to practice as
ney and counsellor of this Court, and he
sworn accordingly.

On motion first made to the Court in
by Mr. Robert O. Harris, it is ordered t
seph A. Conry, Frederick J. Macleod, C
F. Eldredge, and Francis M. Carroll,
of Boston, and Charles C. Paine, Esquire
his, State of Massachusetts, be admitt
practice as attorneys and counsellors o
Court, and they were sworn accordingly

On motion first made to the Court in th
by Mr. Creed M. Fulton, it is ordered th
O. Benson, Esquire, of Chattanooga, State
essee, be admitted to practice as an attorn
counsellor of this Court, and he was sworn
ingly.

On motion first made to the Court in th
by Mr. Frederick L. Siddons, it is ordere
Thomas E. Lawrence, Esquire, of Buffalo, S

New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert M. La Follette, it is ordered that C. A. A. McGee, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

624. Leo Meyer, as Auditor of the State of Oklahoma, Appellant, vs. Wells, Fargo & Co. — Mr. Frank B. Kellogg in behalf of Mr. Charles West of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

708. The United States Express Co., Plaintiff in Error, vs. The State of Minnesota — Mr. Frank B. Kellogg, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

91. The Municipal Council of San Juan et al., vs. Appellants, Jose E. Saldana et al. — Appeal from the Supreme Court of Porto Rico.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White.

93. The Lincoln Gas & Electric Light Co., vs. Appellant, The City of Lincoln et al. — The argument of this cause was continued by Mr. Fred C. Foster and Mr. W. M. Morning, of counsel for the appellees, and concluded by Mr. Hallock T. Rose, of counsel for the appellant.

94. Frank N. Waskey et al., vs. Petitioners, Joseph Hammer et al. — This cause was argued by Mr. Albert Fink, of counsel for the petitioners, and by Mr. Albert H. Elliot, of counsel for the respondents.

85 The United States.
vs. Appellant.
Charles E. Ellicott et al.

The argument of this cause was commenced by Mr. Solicitor General Lehmann, of coun

sel for the appellant.

Proclamation being made, the Court is adjourned

Friday, December 8th. 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frank L. Littleton, it is ordered that George B. Gillespie, Esquire, of Springfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James P. Clarke, it is ordered that William Kirten, Esquire, of Lake Village, and J. S. Ross, Esquire, of Arkansas City, State of Arkansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert O. Harris, it is ordered that Harold F. Hathaway, Esquire, of Taunton, and Henry C. Long, Esquire, of Boston, State of Massachusetts be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. W. W. Bride, it is ordered that Josiah L. Lohase, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that G. L. Hall, Esquire, of Meridian, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter Gresham, it is ordered that W. T. Armstrong, Esquire, of Galveston, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

Ruther Jacobs et al.,
vs. Plaintiffs in Error.
A. G. Pritchard, Trustee.

This cause was submitted to the consideration of the

and printed arguments by Mr. W. H. D
of counsel for the plaintiffs in error, a
Mr. Stanton Warburton, of counsel for
fendant in error.

85. The United States. Appellant, vs. Charles E. Ellicott et al. The argument
cause was co
by Mr Solicit
al Lehmann,
sel for the appellant, and by Mr. James
of counsel for the appellees, and conclud
Mr. Solicitor General Lehmann, of coun
the appellant.

40 Alexander D. Johnson et al., Appellants, vs. The Washington Loan & Trust Co. The c
argue
A. S. W
ton, of
for the appellants, and by Mr. B. F. Lei
of counsel for the appellee.

86. J. R. Treat, as Treasurer, etc., et al., Appellants, vs. Grand Canyon Railway Co. The argum
this cause
commenced
Elias S. C
counsel for
pellants.

Proclamation being made, the Court is adjo
until Monday next at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar, Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert J. Gamble, it is ordered that George T. Kelly, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. N. Poppenhausen, it is ordered that John C. Williams, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Burnett, it is ordered that

Alabama, be admitted to practice as
ney and counsellor of this Court, and
sworn accordingly.

On motion first made to the Court in
half by Mr. E. W. Martin, it is ordered
Charles J. Buell, Esquire, of Rapid Cit
of South Dakota, be admitted to practi
attorney and counsellor of this Court, an
sworn accordingly.

On motion first made to the Court in t
by Mr. C. W. Mullen, it is ordered that
Johnston, Esquire, of Ida Grove, State of
be admitted to practice as an attorney
counsellor of this Court, and he was swor
cordingly.

On motion first made to the Court in th
by Mr. Levi Cooke, it is ordered that Ch
Jack, Esquire, of Salt Lake City, State of
be admitted to practice as an attorney and
sellor of this Court, and he was sworn acc

On motion first made to the Court in the
by Mr. E. S. Houston, it is ordered that
J. Hanna, Esquire, of Indianapolis, State
diana, be admitted to practice as an attor
counsellor of this Court, and he was sworn
ingly.

Charles F. Consaul and Ida M. Moyers, Administratore of the estate of Gilbert Moyers, deceased. vs. Horace S. Cummings, Administrator of the estate of George B. Edmonds, deceased. — Appellants,

38. — Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs, nunc pro tunc as of November 6, 1911.

Per Mr. Justice Lurton.

The United States, Plaintiff in Error, vs. John Morgan and Alfred Y. Morgan.

163. — In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court

and that this cause be, and the same is
remanded to the said Circuit Court for
proceedings.

per Mr. Justice D

Union Pacific Railroad Co.,
A. L. Mohler, J. M. Henry
and Henry Sabagler.
vs. Appellants,
Mason City & Fort Dodge
Railroad Co.

Appeal fr
United St
Court of A
for the Ei
Circuit.

This cause came on to be heard on the t
of the record from the United States Circu
of Appeals for the Eighth Circuit, and w
by counsel. On consideration whereof, It i
here ordered, adjudged and decreed by this
that the decree of the said United States C
Court of Appeals in this cause affirming t
cree of the Circuit Court of the United State
the District of Nebraska, adjudging the ap
guilty of contempt of the decree of that Cour
tered August 12, 1903, be, and the same i
reversed with costs; and that this cause
the same is hereby, remanded to the said C
Court for such further proceedings as may
conformity with the opinion of this Court.

per Mr. Justice M

29. Mutual Loan Co., vs. George J. Martell. Plaintiff in Error, In Error to the Superior Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna

56. Aluminum Company of America, vs. George H. Ramsey. Plaintiff in Error, In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of Arkansas.

Per Mr. Justice McKenna

363. The United States, Plaintiff in Error, vs. Herman F. Garbish. In Error to Circuit Cou United State the Eastern

of Louisiana

This cause came on to be heard on the t of the record from the Circuit Court of the U States for the Eastern District of Louisian was argued by counsel. On consideration It is now here ordered and adjudged by th that the judgment of the said Circuit Court cause be, and the same is hereby, reversed; a this cause be, and the same is hereby, remand the said Circuit Court with directions to ove the demurrer of the defendant.

Per Mr. Justice M

364. Chicago Junction Railway Co., Plaintiff in Error, vs. William K. King. In Error to th States Circui of Appeals fo Seventh Circu

This cause came on to be heard on the tr of the record from the United States Circuit of Appeals for the Seventh Circuit, and was by counsel. On consideration whereof, It is here ordered and adjudged by this Court t the judgment of the said United States Cir Court of Appeals in this cause be, and the is hereby, affirmed with costs; and that th cause be, and the same is hereby, remanded the Circuit Court of the United States for the

Northern District of Illinois.

Per Mr Chief Justice White.

Ex parte: In the matter of the Leaf Tobacco Board of Trade of the City of New York,
Original Petitioner

On consideration of the motion for leave to file a petition for writs of mandamus, prohibition and certiorari herein, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

William Baird.
vs. Plaintiff in Error,
148. Allen P. Howison and The Brashead Coal Co.

In Error to the Supreme Court of the State of Alabama

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

Leo Meyer, as Auditor
of the State of Oklahoma,
vs. Appellant.
Wells, Fargo & Co.
United States Express Co.,
vs. (Plaintiff in Error.
The State of Minnesota.

On consi
of the m
advance
cause, t
here on
the Cou
the said
be, and

are hereby granted, and the cases assig
argument as one case on Monday, Jan
1912, after the cases heretofore assigned f
day.

per Mr. Chief Just

The Ontario Land Co.,
vs. Appellant.
Charles W. Wilfong et al.

It is order
the Court
further con
tion of the

to dismiss in this cause be, and the same
by, postponed until the hearing of the ca
the merits.

per Mr. Chief Just

The People of Porto Rico,
vs. Appellant.
Pierre Emanuel, Baron
de Laurens d'Oiselay.

It is ordered
Court that t
consideration
motion to di
affirm in th

be, and the same is hereby, postponed unti
hearing of the cause on the merits.

per Mr. Chief Justi

512. Thomas N. Pickford and John N. Walter, Appellants, vs. Henry M. Talbot. On consideration of the motion to place this cause on the summary docket, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White.

549. Philadelphia, Baltimore & Washington Railroad Co., Plaintiff in Error, vs. Theodore A. Schubert. It is now here ordered by the Court that this cause be, and the same is hereby, placed on the summary docket.

Per Mr. Chief Justice White.

573. The Second Pool Co., Petitioner, vs. The Peoples Coal Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Monday, December 11th 1911, continued

	John A. Knott et al., Railroad and Warehouse Commissioners et al.,	It is ordered by the Court that these cases be, and they are hereby, re assigned for argument on Monday, February 19th, 1912. Per Mr. Chief Justice White	399.
130	vs. Appellants.		600
	Chicago, Burlington & Quincy Railroad Company.		
	Chicago, Burlington & Quincy Railroad Co.,		
134.	vs. Appellant.		601.
	John A. Knott et al., Railroad and Warehouse Commissioners et al.		
	John A. Knott et al Railroad and Ware House Commissioners et al.		784.
672	vs. Appellants,		
to	Various Railroad Companies		
	Various Railroad Companies.		
705	vs. Appellants,		813
	John A. Knott et al., Railroad and Warehouse Commissioners, et al.		
	Louisville & Nashville Railroad Co.		
706	vs. Appellant.		
	Adam T. Siler et al., as the Railroad Commission of Kentucky.		814.
	The Chesapeake & Ohio Railway Co.		
364	vs. Plaintiff in Error.		776.
	W. G. Conley, Attorney General, et al.		
	The Oregon Railroad & Navigation Co.,		
1124	vs. Appellant.		505.
	Thomas K. Campbell et al.		

George T. Simpson et al.,
vs. Appellants,
David C. Shepard.
George T. Simpson et al.,
vs. Appellants.
Emma B. Kennedy et
al., Executors, etc., et al.
George T. Simpson et al.,
vs. Appellants
William Shillaber
Southern Pacific Co. et al.,
vs. Appellants,
Thomas K. Campbell et al.,
Commissioners, etc.
Robert S. Allen et al.,
Commissioners, etc.,
vs. Appellants,
The St. Louis, Iron Moun-
tain & Southern Railway Co.
Robert S. Allen et al.,
Commissioners, etc.,
vs. Appellants,
St Louis Southwestern Railway Co.
Railroad Commission of Ohio.
vs. Appellant.
R. A. Worthington, Receiver, etc.
Railroad Commission of Ohio.
vs. Appellant.
R. A. Worthington, Receiver, etc.

The United States of America,
820 vs. Appellant.
The Union Pacific Railroad Co. et al.

It is ordered
the Court tha
cause be, and
same is here
assigned for
ment on Mo

February 19th, 1912.

Per Mr. Chief Justice

Southern Pacific Railroad Co., et al.,
121 vs. Appellants,
The United States.

On motion o
Solicitor Gene
Lehmann, of
sel for the ap
It is ordered

the Court that this cause be, and the same
hereby, passed, subject to the provisions of se
7 of rule 26.

The United States,
1— vs. Appellant,
The Southern Pacific Railroad Co., et al.
The Southern Pacific Railroad Co., et al.,
129. vs. Appellants,
The United States.

On motion o
Solicitor Gene
Lehmann, a
counsel for
United State
is ordered by
Court that th
cases be and
same are here

passed, subject to the provisions of section
of rule 26.

508. Mary L. Leary, Administratrix, etc., vs. Appellant, The United States

The motion to affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Lehmann and Mr. Marion Erwin of counsel for the appellee in support of the motion, and by Mr. David McClure and Mr. A. E. Strode, of counsel for the appellant in opposition thereto.

879. The Interstate Commerce Commission et al., vs. Appellants, Goodrich Transit Co.

880 The Interstate Commerce Commission et al., vs. Appellants, Goodrich Transit Co.

881 The United States et al., vs. Appellants, White Star Line

882. The United States et al., vs Appellants, White Star Line

Mr. Solicitor General Lehmann, of counsel for the appellants, submitted to the consideration of the Court a motion to advance these cases.

883. The United States of America et al., vs. Appellants, The Atchison, Topeka & Santa Fe Railway Co. et al.

The United States of America et al., vs. Appellants, The Union Pacific Railroad Co. et al.

Mr. Solicitor [illegible] Lehmann, [illegible] for the appe[llee] submitted [illegible] consideration the Court [illegible] tion to ad[vance] these case[s]

306. Co. L. Van Cise, vs. Appellant, Ibex Mining Co.

The motion to [dismiss] or affirm in th[is] was submitted the consideration

the Court on printed arguments by Mr. [illegible] Lavender and Mr. Gerald Hughes of Co[unsel] for the appellee in support of the motion, a[nd] Mr. Edwin A. Park, of Counsel for the ap[pellant] in opposition thereto.

350 Colby Bank & Trust Co., Trustee, vs. (Petitioner), T. W. Williams et al.

The petition [for] writ of certio[rari] herein was [sub]mitted to the co[n]sideration of the

on printed arguments by Mr. Frederick [illegible] Tyler in behalf of Mr. Charles A. Tyner and Mr. Watson B. Robinson in support [of] same, and Mr. G. L. Hall in opposition.

Jacob Markt, as Administrator, etc.,
186. vs. Petitioner.
The Union Pacific Coal Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Wayne C. Williams in support of the same, and Mr. Maxwell Evarts, Mr. N. H. Loomis and Mr. Clayton C. Dorsey in opposition thereto.

Ex parte: In the matter of the Merchants' Stock and Grain Co. et al.,
10 Original. Petitioners.

This cause was submitted to the consideration of the Court on printed arguments by Mr. Chester H. Krum and Mr. N. S. Priest, of counsel for the petitioners and Mr. Henry S. Robbins, of counsel for the respondent.

Rock Island Plow Co.,
48. vs. Appellant.
W. J. Reardon, Trustee.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. H. Sholes, of counsel for the appellant and by Mr. Franklin L. Velde, of counsel for the appellee.

Monday, December 11th, 1911, continued

J. R. Treat, as Treasurer, etc., et al.,
86 vs. Appellants,
Grand Canyon Railway Co.

The argument of this cause was continued by Mr. William C. Prentiss of counsel for the appellants, and Mr. Robert Dunlap, of counsel for the appellee, and concluded by Mr. William C. Prentiss, of counsel for the appellants.

Gaar Scott & Co.,
85. vs. Plaintiffs in Error.
O. K. Shannon.

This cause was argued by Mr C. E. More, of counsel for the plaintiffs in error, and by Mr. James D. Walshall, of counsel for the defendant in error.

Cosme Blanco Herrera et al.,
87 vs. Appellants,
The United States.
Pascasio Diaz et al.,
86 vs. Appellants,
The United States.

The argument of these cases was commenced by Mr. Howard Thayer Kingsbury, of counsel for the appellants.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Miles Poindexter, it is ordered that Harve H. Shippe, Esquire, of Spokane, and Gomer Teate, Esquire, of Tacoma, State of Washington, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William W. Scott, it is ordered that Waitman N. Conaway, Esquire, of Washington, District of Columbia, and John R. Buckingham, Esquire, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Tuesday, December 12th, 1911, o

The Western Union Telegraph Co., Plaintiff in Error,
1112. vs.
Henry Gibbs

In E
Circu
Nelson
State o

It appearing to the Court that a mo
sel for the plaintiff in error to dismiss t
error in this cause has been filed. The
pursuance of said motion, it is now h
and adjudged by this Court that the
error in this cause be, and the same is
dismissed with costs.

per Mr. Chief Just

Bettie Ligon et al., Appellants,
101 vs. Appeal from
Douglas N. Johnston et al State Circu
of Appeals f
Eighth Circ

This cause having been called for hear
its regular order, and it appearing to t
that the parties have failed to print th
script of the record. It is, therefore, in p
of the tenth rule of this Court, now here
adjudged and decreed by this Court th
appeal be, and the same is hereby, dism
with cost.

per Mr. Chief Just

89 Cosme Blanco Herrera et al. vs. Appellants. The United States.

90. Pascasio Deiz et al., vs. Appellants. The United States.

The argument of these cases was continued by Mr. Howard Thayer Kingsbury of counsel for the appellants, and by Mr Assistant Attorney General Thompson of counsel for the appellee, and concluded by Mr. Drummond Kennedy, of counsel for the appellants.

92 Lawrence Sexton, as Trustee, etc., vs. Appellant. Kessler & Co., Limited et al.

The argument of this cause was commenced by Mr. John Larkin, of counsel for the appellant, and continued by Mr. Abram J. [illegible] of counsel for the appellees.

Proclamation being made, the Court is adjourned

Wednesday, December 13th. 1911.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. C. D. Clark, it is ordered that L. H. Bancroft, Esquire, of Richland Center, and Wallace Ingrees, Esquire, of Racine, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Archibald King, it is ordered that Richard Eggleston Wilbourn, Esquire, of Meridian, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Joseph W. Bailey, it is ordered that William H. Burges, Esquire, of El Paso, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

165. Paul N. Katz, vs. Matthew J. Long, Criminal Sheriff, etc. Appellant. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White.

42. Lawrence E. Sexton, as Trustee, etc., vs. Kessler & Co., Limited, et al. Appellant. The argument of this cause was continued by Mr. Abram I. Elkus, of counsel for the appellee, and concluded by Mr. F. C. McLaughlin, of counsel for the appellee.

95. R. J. Berryman, Assessor, et al., Appellants, vs. The Board of Trustees of Whitman College, for the appellees.

This cause was argued by Mr. J. Smith, for the appellants and Mr. Dovell, of

102. The Title Guaranty & Surety Co., Plaintiff in Error, vs. William Francis Nichols.

This cause was argued by Philip of counsel for plaintiff in error, and by Mr. Frank B. Kellogg, of counsel for the defendant in error.

96. The San Juan Light & Transit Co., Plaintiff in Error, vs. Helen Reymers.

The argument in this cause commenced by Mr. Hughmann, of counsel for the plaintiff in error. The Court declined to hear further argument.

94. Charles Reitter, Plaintiff in Error, vs. William A Harris.

This cause was submitted on consideration of the court on the record and printed arguments by Mr. J. Smith, of counsel for the plaintiff in error, Mr Frederick de C. Faust, of counsel for

defendant in error.

100. The United States, Plaintiff in Error, vs. John McMullen et al

The argument of this cause was commenced by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error

Proclamation being made, the Court is adjourned

Thursday, December 14th, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph M Kenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Tracy L. Jeffords, it is ordered that Samuel H. Richards, Esquire, of Camden, and John D. McMullin, Esquire, of Moorestown, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. M. Ambler, it is ordered that Henry F. Stockwell, Esquire, of Camden, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

110. J. A. Scriven Co. vs. Edward Morris et al., trading as Morris & Co — Appeal from the United States Circuit Court of Appeals for the Fourth Circuit

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White

100 The United States, vs. John McMullen et al. — Plaintiff in Error — The argument of this cause was continued by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, and Mr. Burke Corbet, of counsel for the defendants in error, and concluded by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error.

97. Manuel Zens Gandia vs. N. B. K. Pennypacker — Plaintiff in Error — This cause was argued by Mr. Frederic D. McKenney, of counsel for the plaintiff in error, and by Mr George H Lamar and Mr. Willis Sweet, of counsel for the defendant in error.

103. St. Louis, Iron Mountain & Southern Railway Co., Plaintiff in Error, vs. T. J. Wynne

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. W. E. Hemingway and Mr. E. B. Kinsworthy, of counsel for the plaintiff in error, and leave was granted counsel for the defendant in error to file a brief within ten days.

104. M. B. Johnson et al., Plaintiffs in Error, vs. B. T. Collier

The argument of this cause was commenced by Mr. George D. Motley, of counsel for the plaintiffs in error, and continued by Mr. Amos E. Goodhue, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Friday, December 15th, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. B. M. Ambler, it is ordered that Franklin E. Bump, Esquire, of Wausau, State of Wisconsin, and Joseph L. Bühler, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. H. Poorman, it is ordered that Charles Edmund Pew, Esquire, of Helena, State of Montana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

116. James Vaughan, (Plaintiff in Error,
vs.
Lydia Starr Tabor.

In Erro
Supreme
the State

It appearing to the Court that a stipu
counsel for the respective parties to dis
writ of error in this cause has been fi
fore, in pursuance of said stipulation, i
here ordered and adjudged by this C
the writ of error in this cause be, and
is hereby, dismissed without costs to e

per Mr. Chief Just

117. James Vaughan, (Plaintiff in Error,
vs.
Lydia Starr Tabor.

In Erro
Supreme
the State

It appearing to the Court that a stipu
counsel for the respective parties to dis
writ of error in this cause has been fi
fore, in pursuance of said stipulation, i
here ordered and adjudged by this C
the writ of error in this cause be, and
same is hereby, dismissed without cost
party.

per Mr. Chief Just

104. M. B. Johnson et al. vs. B. T. Collier, Plaintiffs in Error. The argument of this cause was continued by Mr. Amos E. Woodbue, of counsel for the defendant in error, and concluded by Mr. George D. Molley, of counsel for the plaintiffs in error.

106. Wilson Moline Buggy Co. vs. C. B. & E. Hawkins. Plaintiff in Error. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. A. W. Buckley and Mr. C. E. More, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

107. The New Marshall Engine Co., et al., vs. The Marshall Engine Co., etc., Plaintiffs in Error, This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Walter H. Bond, of counsel for the defendant in error, and leave was granted counsel for the plaintiffs in error to file a brief within one week.

108. The Galveston, Harrisburg & San Antonio Railway Co. et al., vs. Plaintiffs in Error, L. V. Wallace.

This cau
submitte
consider
the cou
record
printed
by Mr. Maxwell Evarts and Mr. Jam
Bishop, of counsel for the plaintiffs in
counsel appeared for the defendant in

109. Galveston, Harrisburg & San Antonio Railway Co. et al., vs. Plaintiffs in Error, J. D. Crow.

This ca
submitt
conside
the cou
record
printed argument by Mr. Maxwell E
Mr. James L. Bishop, of counsel for the
tiffs in error. No counsel appeared for
fendant in error.

111. The United States Fidelity & Guaranty Co., vs. Appellant, M. J. Bray et al.

This caus
argued b
B. M. A
of counsel
appellant
by Mr. V. B. Archer and Mr. William M. A
counsel for the appellees.

114. The Pittsburgh, Cincinnati Chicago & St. Louis Railway Co., Plaintiff in Error, vs The State of Indiana.

The argument of this cause was commenced by Mr. Samuel O. Pickens, of counsel for the plaintiff in error. The Court declined to hear further argument.

Proclamation being made, the Court is adjourned

Monday, December 18th, 1911.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Irvin S. Pepper, Esquire, of Muscatine, State of Iowa, and George L. Wilkinson, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maxwell Evarts, it is ordered that H. V. Tanner, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

y Mr. Howard Mansfield, it is ordered that Benjamin M. Weinberg, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William W. Wilson, it is ordered that Samuel A. Harper and Harvey Strickler, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Wickersham, it is ordered that Grant Fellows, Esquire, of Hudson, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. A. Jackson, it is ordered that John E. Hessin, Esquire, of Manhattan, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joe T. Robinson, it is ordered that William J. Lamb, Esquire, of Corinth, State of Mississippi, be admitted to practice as an attorney

accordingly

On motion first made to the Court in
by Mr. Henry P. Blair, it is ordered th
S. Hillyer, Esquire, of Washington, Di
Columbia, be admitted to practice as a
and counsellor of this Court, and he wa
accordingly.

On motion first made to the Court in
by Mr. C. E. Townsend, it is ordered tha
Wiley, Esquire of Sault Ste. Marie, State
igan, be admitted to practice as an atto
counsellor of this Court, and he was ac
cordingly.

34 The City of Chicago, In Error
vs. Plaintiff in Error, Supreme
Frank Sturges. the State o

This cause came on to be heard on the tr
of the record from the Supreme Court of th
of Illinois, and was argued by counsel.
sideration whereof, It is now here ordere
adjudged by this Court that the judgme
the said Supreme Court in this cause be
the same is hereby affirmed with costs.

Per Mr. Justice Lurt

67. Sievers and Cooke, Limited, Appellant, vs. Mary H. Mehrtens. Appeal from the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

68. Theodore Albert Mayer, Appellant, vs. American Security & Trust Co., Executor and Trustee under the last will and testament of Theodore J. Mayer, deceased, et al. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

9. Acme Harvester Co. vs. Beekman Lumber Co. Plaintiff in Error, In Error to Supreme C the State o souri.

This case came on to be heard on the t of the record from the Supreme Court of of Missouri, and was argued by counsel consideration whereof, It is now here or and adjudged by this Court that the ju of the said Supreme Court in this cause the same is hereby, affirmed with costs per Mr. Justice D (announced by Mr. Chief Justice White.)

164 The United States of America, at the relation and to the use of Robert D. Kinney vs. The United States Fidelity & Guaranty Co. Plaintiff in Error, In Error Unite Circuit of Appe the Third cuit.

This cause came on to be heard on the t of the record from the United States Circu Court of Appeals for the Third Circuit, a motion to dismiss or affirm which was ar by counsel. On consideration whereof, It i here ordered and adjudged by this Court the judgment of the said United States Court of Appeals in this cause be, and th is hereby affirmed with costs; and that t cause be, and the same is hereby, remand

the Circuit Court of the United States for the Eastern District of Pennsylvania.

per Mr. Chief Justice White

306 C. L. Van Lieu, Appellant, vs. Ibex Mining Co. — Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice White

106 Wilson-Moline Buggy Co., Plaintiff in Error, vs. C. B. E. Hawkins — In Error to the Supreme Court of the State of Kansas

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded

114 The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co., Plaintiff in Error, vs. The State of Indiana. In E Supre of the Ind

This cause came on to be heard on the of the record from the Supreme Court and was argued by counsel. On consi whereof, It is now here ordered and a by this Court that the judgment of th Supreme Court in this cause be, and th hereby, affirmed with costs.

per Mr. Chief Just

201 Frank W. Brown, Appellant, vs. C. T. Elliott, U. S. Marshal, et al.

202 E. C. Moore, Appellant, vs. C. T. Elliott, U. S. Marshal, et al.

114 Frederick A. Hyde et al., Petitioners, vs. The United States.

It is ordered court that th be, and they a restored to th for re-argumen full bench.

per Mr. Chief J

The Interstate Commerce Commission et al.,
879 vs. Appellants,
Goodrich Transit Co.
The Interstate Commerce Commission et al.,
880 vs. Appellants,
Goodrich Transit Co.
The United States et al.,
881 vs. Appellants,
White Star Line
The United States et al.,
882 vs Appellants.
White Star Line.
The United States et al.,
883 vs. Appellants,
The Atchison, Topeka & Santa Fe Railway Co., et al.
The United States et al.,
884. vs. Appellants,
Union Pacific Railroad Co. et al.

On consideration of the motions to advance these cases, It is now here ordered by the Court that the said motions be, and the same are hereby, granted, and the cases assigned for argument on Monday, February 19, 1912, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

Mary C. Leary, Administratrix &c.,
508. vs. Appellant,
The United States.

It is now here ordered by the Court that this cause be, and the same is hereby, placed on the summary docket.

per Mr. Chief Justice White

No. 355. City Bank & Trust Co., Trustee, Petitioner. vs. F. W. Williams et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

No. 356. Jacob Makii, as Administrator of the estate of August Wainianpad, deceased, Petitioner, vs. The Pacific Coal Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

The Chief Justice announced that the Court will take a recess from Friday, the 22d instant, until Monday, January 8, 1912.

896. Levi B. Gritts et al., Appellants, vs. Walter L. Fisher, Secretary of the Interior, et al. — Mr. Solicitor General Lehmann, of counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause.

849. Gerald Purcell Fitzgerald, Plaintiff in Error, vs. Josiah V. Thompson, Trustee, et al. — The motion to dismiss or affirm in this cause was submitted to the consideration of the court on the record and printed arguments by Mr Meyer Cohen in behalf of Mr. Samuel Untermyer, of counsel for the defendants in error, in support of the motion, and by Mr. William A. Stone, of counsel for the plaintiff in error, in opposition thereto.

736. Thomas E. Ireton, et al., Petitioners, vs. Pennsylvania Company. — The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Orville S. Brumback in support of the same.

William J. Wood et al., Appellants,
vs.
Vandalia Railroad Co.

No. 330.

Mr. Thom
man, of co
the appell
mitted to
eration of the Court a motion to adv
cause, and leave was granted Mr. F
McKenney to file a brief in opposition
within three days.

Louis Cella et al., Petitioners,
vs.
The United States.

No. 1141.

The petition
of certiorari
was submitt
consideratio
Court on printed arguments by Mr. Ch
Frailey, Mr. A. S. Worthington, and M
Taylor in support of the same, and by M
General Lehmand, Mr. Clarence R. Wilso
Henry S. Robbins in opposition thereto.

Ex parte: In the matter of Louis Cella et al., Petitioners.

Original.

The motion
to file a pe
for a writ o
bition here
submitted to the consideration of the Co
printed arguments by Mr. Charles L.
Mr. A. S. Worthington and Mr. Howar
of counsel for the petitioners in support
tion, and by Mr. Solicitor General Lehma
Clarence R. Wilson and Mr. Henry S. Ro
in opposition thereto.

229. Chicago, Burlington & Quincy Railway Co., Plaintiff in Error, vs. Charles A. Hamilton — In Error to the Supreme Court of the State of Iowa.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White.

123. United States Fidelity & Guaranty Co., Appellant, vs. A. Sandoval et al. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Eugene L. Ives, of counsel for the appellant, and by Mr. Henry S. Van Dyke and Mr. Frank P. Flint, of counsel for the appellees.

126. The Cienequita Copper Co., Appellant, vs. Thomas Farish, Jr., et al. — Appeal from the Supreme Court of the Territory of Arizona.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the

rule of this Court, now here ordered, adj
decreed by this Court that this appeal
the same is hereby, dismissed with cost

Per Mr. Chief Justice

A. D. Gibbs,
vs. Appellant.
The International Bank-
ing Corporation et al

Appeal from
Court of the
Islands.

This cause having been called for hear
regular order, and it appearing to the
the parties have failed to print the tra
the record, It is, therefore, in pursuance
rule of this Court, now here ordered, adju
decreed by this Court that this appeal
the same is hereby, dismissed with cost

Per Mr. Chief Justic

Charles Gring,
vs. Plaintiff in Error.
Lizzie Ives et al. etc.

This cause
mitted to t
eration of t
on the reco

printed arguments by Mr. James A. Too
counsel for the plaintiff in error, and M
Aycock, of counsel for the defendants in

118. The State of Washington ex rel. Oregon Railroad & Navigation Co., vs. Plaintiff in Error. N. A. Fairchild et al., Railroad Commissioners &c. Defendants in error.

This cause was argued by Mr. Maxwell Evarts, of counsel for the plaintiff in error, and by Mr. W. V. Tanner, of counsel for the defendants in error.

119. Luong Wing, vs. Plaintiff in Error. Thomas B. Kirkendall, Treasurer, etc.

This cause was argued by Mr. Charles E. Pew, of counsel for the plaintiff in error, and by Mr. W. N. Doorman, of counsel for the defendant in error.

124. The Cuba Railroad Co., vs. Petitioner. Walter E. Crosby.

This cause was argued by Mr. Howard Mansfield, of counsel for the petitioner, and by Mr. B. M. Weinberg, of counsel for the respondent.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, December 19th, 1911

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Thomas H. Clark it is ordered that Gilbert S. Woolworth, Esquire, of Watertown, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 1446

On motion first made to the Court in this behalf by Mr. Hugh N. Ogear, it is ordered that Carlos E. Hough, Esquire, of Philadelphia, and John L. Nesbit, Esquire, of Franklin, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf

by Mr. Joseph W. Bailey, it is ordered that C. W. Howth, Esquire, of Beaumont, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank W. Hackett, it is ordered that Chauncey Hackett, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Aleides Aran and Francis N. Dexter, vs. Plaintiffs in Error, Camilo Zurrinach.

Mr. Frederic D. McKenney, in behalf of counsel for the plaintiffs in error, suggested the death of Aleides Aran, one of the plaintiffs in error herein, and moved the Court to make Pedro Aran, Asuncion Aran, Carlos Aran, Francisco Aran, Emilio Aran, Gonzalo Aran, Rafael Aran, Gilbert Aran, Natalia Aran, and Patria Aran, heirs of and composing the succession of Aleides Aran, deceased, parties plaintiffs in error in this cause. Whereupon, It is now here ordered by the Court that the said Pedro Aran, Asuncion Aran, Carlos Aran, Francisco Aran, Emilio Aran, Gonzalo Aran, Rafael Aran, Gilbert Aran, Natalia Aran and Patria Aran, heirs of as composing the

are hereby, made parties plaintiffs in e
cause.

Augusto Burnet,
vs. Appellant,
Josefa and Isabel
Desmoreaux y Alvarez.

It is ordered
Court that th
be, and the s
hereby, confir

Northern Pacific Railway Co.,
vs. Plaintiff in Error,
The State of Washington ex
rel. John D. Atkinson, Attor-
ney General.

This c
submit
the co
tion of
by Mr.
W. Bur

counsel for the plaintiff in error with le
to file a printed brief within three day

The Belt Railway Co. of
Chicago.
vs. Petitioner,
The United States.

On writ of
rari to the U
States Circu
of Appeals
Seventh Cir

This cause having been called for hearin
its regular order, and it appearing to the
that the parties have failed to print th
script of the record, It is, therefore, in pu
of the tenth rule of this Court, now here
and adjudged by this Court that the wr
torari in this cause be, and the same is
dismissed.

per Mr. Chief Justice

122. Patrick B. McCarthy, Plaintiff in Error, v. First National Bank of Rapid City, South Dakota — This cause was argued by Mr. Hannis Taylor, of counsel for the plaintiff in error, and by Mr. Charles J. Buell, of counsel for the defendant in error.

131. Buck Stove & Range Co., et al., Plaintiffs in Error, v. C. C. Vickers et al. — In Error to the Supreme Court of the State of [illegible]

On motion of Mr. Seneca N. Taylor, of counsel for the plaintiffs in error, It is now here ordered and adjudged by this Court that the writ of error in this cause as to the plaintiffs in error, Consolidated Steel and Wire Company, Aultman & Miller Buckeye Company, and Galveston Rope Company be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

131. Buck Stove & Range Co., et al., Plaintiffs in Error, v. C. C. Vickers et al — The argument of this cause was commenced by Mr. Seneca N. Taylor, of counsel for the plaintiffs in error; continued by Mr. Stephen H. Allen, of counsel for the defendants in error, and concluded by Mr. Malcolm B. Nichol[illegible]

132. John Flannelly et al.,
vs. Petitioners
The Delaware & Hudson Co.

The argument of this cause was commenced by Mr. Frank W. Hackett, of counsel for the petitioners.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Elbert H. Hubbard, it is ordered that William Mulvaney, Esquire, of Cherokee, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel Harmon, it is ordered that Norman W. Walsh, Esquire, of Charlottesville, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

John J. Healy, Esquire, of Chicago, State
be admitted to practice as an attorney
sellor of this Court, and he was sworn
ly.

Monsignor Jeremiah J. Harty
vs. Appellant & Plff in Error.
The Municipality of Victoria

On motion
Assistant
General
in behalf
sel, It is
by the Court that this cause be, and the
hereby, passed, subject to the provisions
9 of rule 26

John Flannelly et al.,
vs. Petitioners.
The Delaware & Hudson Co.

The argume
this cause
tinued by
Frank W. B
of counsel for the petitioners, and by Mr.
H. Torrey, of counsel for the respondent. Ca
cluded by Mr. Paul J. Sherwood, of couns
the petitioners.

David Lupton's Sons Co.,
vs. Plaintiff in Error.
The Automobile Club of America.

This cause
argued b
William
Upson, of
for the pla
in error, and Mr. William W. Niles, of c
for the defendant in error.

Wednesday. December 20th. 1911, continued.

138.	Northwestern Mutual Life Insurance Co., vs. J. William McCue et al., infants, etc. Petitioner.	The argument of this cause was commenced by Mr. William H. White, Jr., of counsel for the petitioner.

Proclamation being made, the Court is adjourned

Thursday, December 21st

Pursuant to adjournment, the Court m
at the Capitol.

Present:

The Honorable Edward D. White, Chief
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire,
James H. McKenney

Proclamation being made, the Court is

On motion first made to the Court in
half by Mr. Daniel Harmon, it is ord
that William Meade Fletcher, Esquire,
ville, State of Virginia, be admitted to pr
as an attorney and counsellor of this Co
he was sworn accordingly.

On motion first made to the Court in
half by Mr. Rhea S. Cary, it is ordered
C. H. Trimble, Esquire, of Memphis, Sta
Tennessee, be admitted to practice as an
and counsellor of this Court, and he was
accordingly.

1111.	M. Anderson, vs. The Pacific Coast Steamship Co., Claimant &c.	Mr. William Denman, of counsel for Anderson and Jordan, submitted to the consideration of the Court a motion to advance these cases
642.	N. Jordan vs. The Pacific Coast Company, Claimant, &c.	

275.	The American Sugar Refining Co., vs. The United States.	In Error to the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice White

151.	Northwestern Mutual Life Insurance Co., vs. J. William McCue et al., Infants, etc.	Petitioner, The argument of this cause was continued by Mr. Daniel Harmon, of counsel for the respondents and concluded by Mr.

William N. White of counsel for the petitioner

1411.

The Red "C" Oil Manufacturing Co.,
vs. Appellant.
The Board of Agriculture of North Carolina et al.

The argum
cause wa
by Mr. R
of counse
Appellan
tinued b

Bickett, of counsel for the appellees.

Proclamation being made, the Court is a
until tomorrow at twelve o'clock.

(Pursuant to adjournment, the Court met today at the Capitol.

(Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. G. Hamilton, it is ordered that L. A. Simpson, Esquire, of Dickinson, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

John Powers,
152 vs. Plaintiff in Error,
The United States.

On motion of Mr Assistant Attorney General Denison, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

1178 Henry C. Ripley, Appellant.
vs.
The United States.

1179 The United States,
vs
Appellant.
Henry C. Ripley.

The motion
for further
fact herein
mitted to the
ation of the
Mr. Benjamin
Mr. F. Carter
Mr. William H. Robeson, of counsel for R
Ripley in support of the same.

155. Metropolitan Redwood Lumber Co., Claimant, etc., Appellant.
vs.
Charles P. Dow, Owner, etc., et al.

This cau
submitt
consider
the cou
stipulat
leave to counsel to file briefs on or before
10, 1912.

1181 The Red "C" Oil Manufacturing Co., Appellant.
vs.
The Board of Agriculture of North Carolina et al.

The argum
this cause
concluded
T. W. Bic
counsel for
fullest

1185. The New York Continental Jewell Filtration Co., Plaintiff in Error.
vs
The District of Columbia

This cause
qued by
N. Hayden
counsel for
plaintiff in
and by Mr. Edward N. Thomas, of counse

the defendant in error.

141 Pedro Aran, et al., etc., et al., vs. Plaintiffs in Error, Camilo Zaragoza

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Francis N. Dexter, of counsel for the plaintiffs in error, and by Mr. N. B. K. Pettingill and Mr. F. L. Cornwell, of counsel for the defendant in error.

147 Josefa Ruiz de Noble et al., vs. Appellants. Eliza Gallardo y Leary et al.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. N. B. K. Pettingill, of counsel for the appellants. No brief was filed for the appellees.

154 The Porto Rico Sugar Co., vs. Plaintiff in Error, Bautista Vivo Lourizo

This cause was argued by Mr. Hannis Taylor, of counsel for the plaintiff in error. No brief was filed for the defendant in error.

Order

It is ordered that the Rules of Practice of

are hereby, promulgated for the guidance of all concerned, to take effect on the 1st day of January, 1912.

per Mr. Chief Justice White.

Order.

It is now here ordered that the Rules of Practice for the Courts of Equity of the United States as heretofore promulgated by this Court be, and the same are hereby, so far as not inapplicable, continued in full force and effect and made in all respects controlling in the Courts of Equity created by the Act of Congress entitled "An Act to codify, revise and amend the laws relating to the Judiciary," going into effect January 1, 1912, until the further order of this Court.

per Mr. Chief Justice White.

Proclamation being made, the Court is adjourned until Monday, January 8, 1912, at twelve o'clock M.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

Mr. Justice McKenna said:

"I will say to the gentlemen of the bar that the Chief Justice is detained at home, and I will read a statement prepared by him.

"'Mrs. Day, wife of Mr. Justice Day, died on Friday afternoon at their home in Canton, Ohio.

"'When we assembled for the commencement of the term, Mr. Justice Day was absent, and we learned that he was prevented from coming by the illness of Mrs. Day. We soon came further to know the serious character of that illness and the ever present dread which existed that at any moment it might terminate fatally. Indeed, during the time which has elapsed, our sympathy has gone out to our brother in the cruel and re-

encompassed, ending in the dread bereavement which has come to him.

"The funeral services take place at Canton this afternoon. Were it possible, we should attend the ceremonies in a body, and to enable us to do so would adjourn for the day. Unable to be present, however, we shall yet in spirit be there. As a manifestation of our participation in spirit in the ceremonies, and as a mark of our sorrow and affection for the living and respect and tenderness for the memory of the dead, we shall transact no business today, but will adjourn until tomorrow morning."

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 9th, 1912.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Ben F. Reinberger, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Pitt Campbell, it is ordered that Joseph S. Rossiter, Esquire, of Coffeyville, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this be-

that A. Warner Parker, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Heyburn, it is ordered that Carlton Fox, Esquire, of Wallace, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morgan H. Beach, it is ordered that Edmund Quincy Moses, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles L. Frailey, it is ordered that Henry F. Hollis, Esquire, of Concord, State of New Hampshire, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that George Washington Williams, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

76. M. E. Soliah, W. H. M. Lyche, and J. O Staupe, vs. Soren Nestin, K. T. Peterson and Hans Kringlen, constituting the Board of County Drain Commissioners in and for Traill County, North Dakota. In Error to the District Court of Traill County, State of North Dakota

This cause came on to be heard on the transcript of the record from the District Court of Traill County, State of North Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

104. M. B. Johnson and William Chandler, vs. B. T. Collier. In Error to the Supreme Court of the State of Alabama

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment

the same is hereby, affirmed with costs.
per Mr Justice Lamar

Fred C. Keeney, Individually and as Administrator of the estate of Susan A. Keeney, deceased; Seth A. Keeney and Angie Keeney Schwegel, Plaintiffs in Error, vs. The Comptroller of the State of New York.

In Error to the Surrogate's Court of the County of Kings, State of New York.

81.

This cause came on to be heard on the transcript of the record from the Surrogate's Court of the County of Kings, State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Surrogate's Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

452.

The Interstate Commerce Commission, Appellant, vs. Union Pacific Railroad Co., et al.

Appeal from the Circuit Court of the United States for the District of Minnesota.

451.

This cause came on to be heard on the transcript

States for the District of Minnesota, and was ar
gued by counsel. On consideration whereof, it is
now here ordered, adjudged and decreed by this
Court that the decree of the said Circuit Court in
this cause be, and the same is hereby, reversed with
costs; and that this cause be, and the same is
hereby, remanded to the District Court of the
United States for the District of Minnesota for
further proceedings in conformity with the opinion
of this Court.

per Mr. Justice Lamar.

The Interstate Commerce Commission, Appellant, vs. Northern Pacific Railway Co. et al. | Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript
of the record from the Circuit Court of the United
States for the District of Minnesota, and was ar
gued by counsel. On consideration whereof, It is
now here ordered, adjudged and decreed by this
Court that the decree of the said Circuit Court in
this cause be, and the same is hereby, reversed
with costs; and that this cause be, and the same
is hereby, remanded to the District Court of the
United States for the District of Minnesota for
further proceedings in conformity with the opinion
of this Court.

The Interstate Commerce Commission, Appellant.
vs.
Great Northern Railway Co., et al.

No. 558.

Appeal f
Circuit C
the Unite
for the D
Minneso

This cause came on to be heard on the tr
of the record from the Circuit Court of the
States for the District of Minnesota, and
gued by counsel. On consideration whereof
now here ordered, adjudged and decreed
Court that the decree of the said Circuit C
this cause be, and the same is hereby, rev
with costs; and that this cause be, and t
is hereby, remanded to the District Court
United States for the District of Minnesot
further proceedings in conformity with the
of this Court.

Per Mr. Justice

Clarence D. Robinson, Plaintiff in Error,
vs.
The Baltimore & Ohio Railroad Co.

17.

In Error t
preme Cou
peals of th
of West Vir

This cause came on to be heard on the t
of the record from the Supreme Court of Ap
the State of West Virginia, and was argu
counsel. On consideration whereof, It is now
ordered and adjudged by this Court that
judgment of the said Supreme Court of A

in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Van Devanter.

565. The United States, Plaintiff in Error, vs. B. H. Barnes and F. D. Barnes. In Error to the District Court of the United States for the Western District of Kentucky

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Kentucky, and was argued by counsel. On consideration whereof, &c. it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings.

Per Mr. Justice Van Devanter.

74. Jesse B. Huse, Appellant, vs. The United States. Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, &c. it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Tuesday, January 9th, 1912, continued

Richard L. Peters,
vs. Appellant,
Albert W. Gilchrist, A. C. Croom, W. V. Knott, Park Trammell, and B. E. McLin, Trustees of the Internal Improvement Fund of the State of Florida, et al.

Appeal from the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Florida.

Per Mr. Justice Lurton.

J. R. Treat, as Treasurer and ex officio Tax Collector of the County of Coconino, Territory of Arizona et al.,
vs. Appellants,
Grand Canyon Railway Co.

Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Ter-

ritory of Arizona and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

97. Manuel Zeno Gandia, Plaintiff in Error, vs. N. B. K. Pellingue — In Error to the District Court of the United States for Porto Rico

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court with directions to grant a new trial.

Per Mr. Justice Holmes.

100. The United States, Plaintiff in Error, vs. John McMullen and Joseph A. Stulz, as Administrator with the will annexed of the Estate of R. Percy Wright, deceased — In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

of the record from the United States Cir
Court of Appeals for the Ninth Circu
was argued by counsel. On consideral
whereof, It is now here ordered and ad
by this Court that the judgment of the
United States Circuit Court of Appeals
cause be, and the same is hereby, reversed
that the judgment of the Circuit Court
United States for the Northern District
fornia in this cause be, and the same is
affirmed. It is further ordered that this
and the same is hereby, remanded to the
Court of the United States for the Northe
trict of California.

Per Mr. Justice Hol

1314 The Cuba Railroad Co., Petitioner, vs. Walter E. Crosby. On writ of certio
the United State
Court of Appea
the Third Circu

This cause came on to be heard on the
of the record from the United States Circu
of Appeals for the Third Circuit, and was
by counsel. On consideration whereof, It is
here ordered and adjudged by this Cour
the judgment of the said United States Ci
Court of Appeals in this cause be, and th
is hereby, reversed with costs; and that t
cause be, and the same is hereby, remanded
the District Court of the United States fo
District of New Jersey with directions

a new trial

per Mr. Justice Holmes

154. The Porto Rico Sugar Co., Plaintiff in Error, vs. Baulista Vics Lorenzo. In Error to the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of Porto Rico.

per Mr. Justice Holmes

155. Frederick A. Vogt, Appellant, vs. Charles Graff, Frederick C. Giesecking, and Matilda S. Vogt. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the

be, and the same is hereby, affirmed w

per Mr. Justice W

74 J. H. Williams, Plaintiff in Error, vs. J. E. Walsh, Sheriff and ex-officio Jailer of the County of Crawford, Kansas. In Error to Court of the Kansas.

This cause came on to be heard on the t of the record from the Supreme Court of th of Kansas, and was argued by counsel. O sideration whereof, It is now here ordered judged by this Court that the judgment said Supreme Court in this cause be, and is hereby, affirmed with costs.

per Mr. Justice M

248 Southern Railway Co., Plaintiff in Error, vs. D. L. Reid and Etta C. Reid, his wife. In Error to Court of the North Co

This cause came on to be heard on the tran the record from the Supreme Court of the North Carolina, and was argued by coun consideration whereof, It is now here ordere adjudged by this Court that the judgme the said Supreme Court in this cause be the same is hereby, reversed with costs; a that this cause be, and the same is here

manded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice McKenna

80. Southern Railway Co., Plaintiff in Error, v. C. C. Reid and Edward Beam, co-partners under the firm-name of Reid & Beam. In Error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice McKenna

Dissenting:
Mr. Justice Lurton

R. J. Berryman, Assessor, et al. v. The Board of Trustees of Whitman College. — Appellants.

Appeal from Circuit Court of United States for the Eastern of Washington

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Washington, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Washington, for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice

No. 1111

The Red "C" Oil Manufacturing Co., v. The Board of Agriculture of North Carolina, William A. Graham, N. C. Carter et al. — Appellant.

Appeal from Circuit Court of United States Eastern District North Carolina

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North

and was argued by counsel. On consideration where-
of, It is now here ordered, adjudged and decreed
by this Court that the decree of the said Circuit
Court in this cause be, and the same is hereby,
affirmed with costs, without prejudice. It is further

Per Mr. Chief Justice White

ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Wisconsin.

Allen A. Brown, Sabra Hodgkins, Mary A. Evans et al., Appellants, vs. The Alton Water Co

Appeal from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Illinois.

Per Mr. Chief Justice White

136. Northern Pacific Railway Co., In Er
vs. Plaintiff in Error, Supre
The State of Washington ex of the
rel John D. Atkinson, Attorney Wash
General.

This cause came on to be heard on the
of the record from the Supreme Court of
of Washington, and was argued by coun
consideration whereof, It is now here or
adjudged by this Court that the judgme
said Supreme Court in this cause be, and
is hereby, reversed with costs; and that
be, and the same is hereby, remanded to
Supreme Court for further proceedings no
sistent with the opinion of this Court.

Per Mr. Chief Justice

(Pedro Aran et al., Heirs In Error
of and as the Succession District C
of Alcides Aran, deceased, the United
and Francis H. Dexter, for Porto R
136. vs. Plaintiffs in Error,
Camilo Zurrinnen

This cause came on to be heard on the tr
of the record from the District Court of the
States for Porto Rico, and was argued by
On consideration whereof, It is now here
and adjudged by this Court that the
error in this cause be, and the same is

dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

98. Rock Island Plow Co., Appellant, vs. W. J. Reardon, Trustee in Bankruptcy of Frank Brown, Bankrupt. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Illinois.

Per Mr. Chief Justice White.

115. Charles Grung, Plaintiff in Error, vs. Lizzie Ives and Pat Ives, by their father and next friend, P. H. Ives. In Error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript

State of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

856. The Title Guaranty & Surety Co., vs. The United States to the use of General Electric Co. (Plaintiff in Error,

On consideration of the motion to vacate the supersedeas herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the supersedeas heretofore granted in this cause is hereby vacated

Per Mr. Chief Justice White

335. William J. Wood, et al., vs. Vandalia Railroad Co. Appellants,

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Tuesday, January 9th, 1912, continued

641. M. Anderson, vs. The Pacific Coast Steamship Co., claimant, etc.
642. N. Jordan, vs. The Pacific Coast Co., claimant, etc.

On consideration of the motion to advance these cases, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cases assigned for argument on Monday, February 19th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

876. Levi B Gritts et al., Appellants, vs. Walter L. Fisher, Secretary of the Interior, et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cause assigned for argument immediately after case No. 735

Per Mr. Chief Justice White.

756. Thomas E. Ireton et al., Petitioners. vs. Pennsylvania Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit

the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice White

847. Louis Colla et al., Petitioners, vs. The United States. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

848. Louis Colla et al., Petitioners, vs. The United States. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Tuesday, January 9th, 1912 continued

Ex parte: In the matter of Louis Cella et al., Petitioners. Original.

On consideration of the motion for leave to file a petition for a writ of prohibition herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

---

498 Henry C. Ripley, Appellant, vs. The United States

499 The United States, vs. Appellant, Henry C. Ripley

On consideration of the motion to remand these cases for additional findings of fact, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

---

127 A. D. Gibbs, Appellant, vs. The International Banking Corporation et al

It is ordered by the Court that the decree entered herein on December 18th, 1911, dismissing this appeal be, and the same is hereby, vacated and set aside, and the case restored to the docket.

Per Mr. Chief Justice White

Norfolk & Western Railway Co. (Plaintiff in Error)
vs.
Dixie Tobacco Co.

The motion of The United States for leave to intervene in this cause was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Lehmann in support of the same, and Mr. S. Griffin, Mr. Theodore W. Reath and Mr. Thomas Reath, of counsel for the plaintiff in error in opposition thereto.

574. The Borm Hat Co., (Plaintiff in Error,)
vs.
The United States.

The motion to affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Lehmann, of counsel for the defendant in error in support of the same, and by Mr. Abram I. Elkus, of counsel for the plaintiff in error, in opposition thereto.

8, Original. The State of Arkansas, Complainant,
vs.
The State of Tennessee.

On motion of Mr. J. A. Fowlkes, in behalf of counsel for the defendant, leave is hereby granted to file the demurrer of the defendant to the bill of complaint in this cause.

Tuesday, January 9th, 1912, continued.

901. Fried. Krupp Aktien-Gesellschaft, Petitioner, vs. Midvale Steel Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr James R. Sheffield in support of the same, and Mr. A. H. Winterstein in opposition thereto

917. Dietrich E. Loewe, et al., Petitioners. vs. Martin Lawler et al The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Daniel Davenport and Mr. Waller Gordon Merritt in support of the same, and Mr. Allen B. Parker, Mr. John K. Beach and Mr. Frank L. Mulholland in opposition thereto.

204 Seaboard Air Line Railway Co. Plaintiff in Error, vs. Ernest N. Duvall. The motion to place this cause on the summary docket was submitted to the consideration of the Court on printed arguments by Mr. William C. Douglas of counsel for the defendant in error, in support of the same, and by Mr. N. A. Herbert, Mr. Benjamin Micou, Mr. Richard P. Whiteley and Mr. Walter A. Neal, of counsel for the plaintiff in error, in opposition thereto

503 William Anderson et al., &c., vs. Plaintiffs in Error, The Inhabitants of the City of Bordentown, New Jersey.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Frederic D. McKenney, Mr. John Spalding Flannery and Mr. William Aitz, of counsel for the defendants in error in support of the motion and by Mr. E. A. Armstrong, of counsel for the plaintiffs in error, in opposition thereto.

508 The Cherokee Nation and The United States, vs. Appellants, Moses Whitmire, Trustee, &c.

On motion of Mr. Hannis Taylor, leave is hereby granted Mr. George S. Ramsey to file a printed brief herein, as amicus curiae, and on motion of Mr. John J. Hemphill, leave is hereby granted him to file a brief as amicus curiae within four days.

414 Jacob Meurer, vs. Petitioner, George Stargiss et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. Prescott Gatley on behalf of Mr. William Mason Smith in support of the same, and Mr. B. M. Ambler in opposition thereto.

The State of Wyoming. Complainant,
Original. vs.
The State of Colorado et al.

On motion of Mr. Benjamin Griffith, of counsel for the defendants, leave is hereby granted to file the demurrer of the defendants to the bill of complaint in this cause.

The Wisconsin Central Railway Co.,
253 vs. Plaintiff in Error,
Elizabeth Boucher, as Administratrix of the Estate of David Boucher, deceased.

In Error to the Supreme Court of the State of Wisconsin.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed without costs to either party.

Per Mr. Chief Justice White.

The City of Cincinnati,
257. vs. Plaintiff in Error,
The Louisville & Nashville Railroad Co.

This cause was submitted to the consideration of the Court pursuant to the twentieth rule on the record and printed arguments by Mr.

of counsel for the plaintiff in error, and Mr. J. B. Foraker and Mr. Ellis G. Kinkead, of counsel for the defendant in error.

587. The United States, Plaintiff in Error, vs. Robert Jamieson. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause having been called to the attention of the Court by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

per Mr. Chief Justice White.

829. W. J. McNaughton, Plaintiff in Error, vs. The State of Georgia. In Error to the Supreme Court of the State of Georgia.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court now here ordered

and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White

607 & 608. The United States, Plaintiff in Error, vs. Harvey C. Miller et al.

These cases were argued by Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, and by Mr. Alexander A. Laurence, of counsel for the defendants in error.

735. The Cherokee Nation and The United States, Appellants, vs. Moses Whitmire, Trustee, &c

On motion of Mr. W. H. Robeson, leave is hereby granted Mr. Charles M. Rice to file a printed brief herein as amicus curiae.

735 The Cherokee Nation and The United States, Appellants, vs. Moses Whitmire, Trustee, &c.

On motion of Mr. Samuel A. Putman, of counsel for the appellee, It is ordered by the Court that one half hour additional be allowed counsel on each side for the argument of this cause.

735.

The Cherokee Nation and The United States, Appellants, vs. Moses Whitmire, Trustee, &c.

The argument of this cause was commenced by Mr. William H. Hastings, of counsel for The Cherokee Nation, and continued by Mr. Samuel A. Putman, of counsel for the appellee.

(Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert L. Owen it is ordered that Patrick J. Hurley, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Owen, it is ordered that James L. Powell, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Cherokee Nation and The United States, Appellants, vs. Moses Whitmire, Trustee, etc. — The argument of this cause was continued by Mr. Samuel A. Putman and Mr. Charles Soc, of counsel for the appellee, and concluded by Mr. William W. Hastings, of counsel for the Cherokee Nation.

896 Levi B. Gritts et al., Appellants, vs. Walter L. Fisher, Secretary of the Interior, et al. — On motion of Mr. Solicitor General Lehmann in that behalf, leave is hereby granted to file a printed brief herein on behalf of The Cherokee Nation as amicus curiae

896 Levi B. Gritts et al., Appellants, vs. Walter L. Fisher, Secretary of the Interior, et al. — The argument of this cause was commenced by Mr. John J. Hemphill, of counsel for the appellants, and continued by Mr. Solicitor General Lehmann, of counsel for the appellees.

(Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal
James H. McKenney, Esquire

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. S. T. Bledsoe, it is ordered that Russell L. Lowe, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Franklin E. Rapp, it is ordered that Dorsey C. Whitaker, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

Edwin Olds, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Townsend, it is ordered that Richard Price, Esquire, of Jackson, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John D. Works, it is ordered that William J. Mossholder, Esquire, of San Diego, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Order.

It is ordered by the Court that the mandates in all cases decided prior to January 1st, 1912, which, under the law as it existed before that time, should have been directed to the Circuit Courts of the United States, be directed to the appropriate District Courts of the United States.

Per Mr. Chief Justice White.

846. Levi B. Grills et al., Appellants, vs. Walter L. Fisher, Secretary of the Interior, et al.

The argument of this cause was continued by Mr. Solicitor General Lehmann, of counsel for the appellees, and concluded by Mr. W. H. Robeson, of counsel for the appellants. Leave was granted counsel for the appellants to file an additional brief within five days.

773. James J. Hooker et al., as President, etc., et al., Appellants, vs. Martin A. Knapp et al. as etc.

774. The Eagle White Lead Co. et al., Appellants, vs. The Interstate Commerce Commission et al.

On motion of Mr. Assistant Attorney General Denison, of counsel for The United States, leave is hereby granted to three counsel for the appellees to be heard in the argument of these cases. The argument of these cases was commenced by Mr. Francis B. James, of counsel for the appellants, continued by Mr. Assistant Attorney General Denison, of counsel for The United States; by Mr. S. J. Farrell, of counsel for The Interstate Commerce Commission, and by Mr. R. Walton Moore, of counsel for the Cincinnati, New Orleans & Texas Pacific Railway Company, and concluded by Mr. Francis B. James, of counsel for the appellants.

730. The Procter & Gamble Co., Appellant; vs. The United States of America et al.

On motion of Mr. Assistant Attorney General Denison, of counsel for The United States of America, leave is hereby granted to three counsel for the appellee to be heard in the argument of this case. The argument of this case was commenced by Mr George H. Warrington, of counsel for the appellant.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. H. R. Power, it is ordered that Albert G. Yuzzolino, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Walton Moore, it is ordered that John Horatio Nelson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William L. Houston, it is ordered that

W. T. Francis, Esquire, of St. Paul, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr W. T. Denison, it is ordered that Henry W. Oakes, Esquire, of Auburn, State of Maine, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr L. D. Clark, it is ordered that Clyde M. Walls, Esquire, of Cheyenne, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

154. Irene Cubas y Arredondo, Appellant, vs Felipe Cubas y Arredondo. Mr. George A. Lamar, of counsel for the appellee in this cause, suggested the death of Felipe Cubas y Arredondo, the appellee herein and moved the Court to make Felipe R., Santiago, Josefina, Luis, Maria Teresa, Edwigis, José, Eugenio and Maria Isabel Cubas y Padilla, constituting the succession of the said Felipe Cubas y Arredondo, deceased, the parties appellees in this cause. Whereupon, It is now here ordered by the Court that the said Felipe R., Santiago, Josefina, Luis, Maria Teresa, Edwigis, José, Eugenio and Maria Isabel Cubas y Padilla

constituting the succession of Felipe Loubas y Arredondo, deceased, be, and they are hereby, made the parties appellee in this cause.

780. The Procter & Gamble Co., Appellant, vs. The United States of America et al

The argument of this cause was continued by Mr. George H. Warrington, of counsel for the appellant; by Mr. Assistant Attorney General Denison, of counsel for The United States; by Mr P. J. Farrelee, of counsel for The Interstate Commerce Commission, and by Mr. Edward Barton, of counsel for the Cincinnati, Hamilton & Dayton Railway Company et al., and concluded by Mr. George H. Warrington, of counsel for the appellant.

611. The United States, Plaintiff in Error, vs. Mord Deutscher Lloyd.

This cause was argued by Mr. Assistant Attorney General Harr, of counsel for the plaintiff in error, and Mr. Joseph Larocque, of counsel for the defendant in error.

347. The United States, Petitioner, vs. Wong You et al.

This cause was argued by Mr. Assistant Attorney General Harr, of counsel for the petitioner. No appearance was entered for the respondents.

The Interstate Commerce Commission et al., Appellants, vs. The Baltimore & Ohio Railroad Co., et al.

The argument of this cause was commenced by Mr. Assistant Attorney General Denison, of counsel for the appellants, and continued by Mr. W. Shirne Cross of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next, at twelve o'clock.

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
} Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk,

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Frederick de L. Faust, it is ordered that Colby M. Bell, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. U. Fletcher, it is ordered that Cary H. Landis and Bert Fish Esquires, of De Land, State of Florida, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf

Wand Nickey, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Kappler, it is ordered that Adam Thompson, Esquire, of San Diego, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles West, it is ordered that David L. McCurtain, Esquire, of McAlester, and D. A. McDougal, Esquire, of Sapulpa, State of Oklahoma, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry F. Wingert, it is ordered that Harvey R. Spessard, Esquire, of Hagerstown, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. William E. Borah, it is ordered that J. H. Richards, Esquire, of Boise, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. C. E. Chamberlain, it is ordered that Will R. King, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

120. Edgar V. Mondou, Plaintiff in Error, vs. The New York, New Haven & Hartford Railroad Co. — In Error to the Supreme Court of Errors of the State of Connecticut

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Errors in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court of Errors for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Van Devanter

170 Northern Pacific Railway Co., Plaintiff in Error, vs. Bessie Babcock, as Administratrix of the estate of Ora L. Babcock, deceased — In Error to the Circuit Court of the United States for the District of Minnesota

of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Minnesota.

Per Mr. Justice Van Devanter.

New York, New Haven & Hartford Railway Co.,
Plaintiff in Error,
vs.
Mary Agnes Walsh, Administratrix of the Estate of Daniel Joseph Walsh, deceased

In Error to the Circuit Court of the United States for the District of Massachusetts

289.

Mary Agnes Walsh, Administratrix of the Estate of Daniel Joseph Walsh, deceased,
Plaintiff in Error,
vs.
New York, New Haven & Hartford Railroad Co.

290

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof

It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of Massachusetts. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Massachusetts.

Per Mr. Justice Van Devanter.

Cosme Blanco Herrera and Josi Blanco Herrera, doing business under the firm name of Herrera Nephews, Appeal from the Court of Claims.

vs. Appellants,

No. 89. The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice McKenna.

Pascasio Diaz, Enrique de Messa and Robert Scott Douglas, trading under the firm name of Gallego, Messa & Co.,

vs. Appellants,

The United States.

Appeal from the Court of Claims.

No 40

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause be, and the same is hereby, affirmed.

Per Mr. Justice McKenna

Gerald Purcell Fitz Gerald,

vs (Plaintiff in Error,

Josiah V. Thompson, as Trustee for Lida Eleanor Purcell Fitz-Gerald, et al.

In Error to the Supreme Court of the State of Pennsylvania

No 441

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

No. 741 — The Borrn Hat Co., Plaintiff in Error, vs. The United States. — In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on motion to affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Chief Justice White.

No. 803. — William Anderson and Robert Barry, partners trading as Springfield Worsted Mills, Plaintiffs in Error, vs. The Inhabitants of the City of Bordentown, New Jersey. — In Error to the Court of Errors and Appeals of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in

be, and the same is hereby, dismissed
want of jurisdiction.

per Mr. Chief Jus

Seaboard Air Line Railway,
No. 614 vs. Plaintiff in Error,
Ernest N. Duvall.

On con
of the
transfe
to the
docket, It is now here ordered by the C
the said motion be, and the same is he

per Mr. Chief Justice

Norfolk & Western Railway Co.,
No. 616 vs. Plaintiff in Error,
Dixie Tobacco Co.

On p
tion
tion
of Th
States for leave to intervene in this caus
now here ordered by the Court that the s
tion be, and the same is hereby, denied.

per Mr. Chief Just

Fried. Krupp, Aktien
Gesellschaft,
No. 401 vs. Petitioner
Midvale Steel Co.

On petition for
certiorari to th
States Circui
of Appeals fo
Third Circu

On consideration of the petition for a
certiorari herein to the United States C
Court of Appeals for the Third Circu
of the argument of counsel thereupon
well in support of us against the sam

now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

417 Dietrich E. Loewe et al., Petitioners, vs. Martin Lawlor et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

419 Jacob Meurer, Petitioner vs. George Sturgiss, Morgantown & Kingwood Railroad Co., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said peti-

925 The United States of America et al., Appellants, vs. The Atchison, Topeka & Santa Fe Railway Co. et al.

924 The United States of America et al., Appellants, vs. Union Pacific Railroad Co. et al.

Mr Solicitor General Lehmann, of counsel for the appellants, submitted to the consideration of the Court motions to advance these cases.

917 Hannah L. Andrews, Executrix, etc., Appellant, vs. Harvey K. Partridge, Trustee, etc.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Samuel H. Richards and Mr. Thomas E French in support of the same, and Mr. Henry T Stockwell and Mr. John D. McMullen in opposition thereto.

359 Bessie Brown English, Plaintiff in Error, vs. H. T. Richardson, County Treasurer, etc.

Mr. Charles West, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

914 Charles N. Haskell et al., Appellants, vs. The Kansas Natural Gas Co. et al. The motion to advance this cause was submitted to the consideration of the Court by Mr. Charles West, of counsel for the appellants in support of the motion, and by Mr. D. T. Watson and Mr. John H. Johnson, of counsel for the appellees in opposition thereto.

907 The Pullman Co., Plaintiff in Error, vs. Ellsworth C. Irvine, Receiver, et al. The motion to transfer this cause to the summary docket was submitted to the consideration of the Court on printed arguments by Mr. Fred C. Rector, Mr. Gilbert A. Stewart, Jr., and Mr. Gilbert A. Stewart, of counsel for the defendants in error, in support of the motion, and by Mr. Andrew Squire, Mr. W. B. Sanders, Mr. F. B. Daniels and Mr. A. T. Clark, of counsel for the plaintiff in error, in opposition thereto.

932. Alcott C. Colt, Petitioner vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. E. L. Duvall, Jr., in support of the same, and Mr. Assistant Attorney General Harr[illegible]

854. Peter J. O'Reilly, vs. Dora F. Noxon, Administratrix, etc. Plaintiff in Error. Mr. Henry B. O'Reilly, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

131. George S. Latimer, vs. The United States. Appellant. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Walter T. Welch, of counsel for the appellant, and Mr. Assistant Attorney General Wemple, of counsel for the appellee.

719 The Interstate Commerce Commission, et al., vs. The Baltimore & Ohio Railroad Co., et al. Appellants, The argument of this cause was continued by Mr. W. Irvine Cross and Mr. Hugh L. Bond, Jr., of counsel for the appellees, and concluded by Mr. P. J. Farrell, of counsel for the appellants.

720. The United States et al., vs. The Baltimore & Ohio Railroad Co., et al. Appellants, The argument of this cause was commenced by Mr. Solicitor General Lehmann, of coun-

sel for the appellants, and continued by Mr. George F. Brownell, of counsel for the Railroad Companies, and by Mr. William N. Dykman, of counsel for the Jay Street Terminal and Arbuckle Bros., Intervenors.

Proclamation being made, the Court is adjourned

Tuesday, January 16th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frank B. Kellogg, it is ordered that Charles H. Pegler, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. B. Crumpacker, it is ordered that Edwin Corr, Esquire, of Bloomington, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Ramsey, it is ordered that

Eck E. Brook, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nota Smith, it is ordered that Lee M. Jordan, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur L. Bates, it is ordered that J. French Miller, Esquire, of Franklin, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

732. The United States et al., Appellants, vs. The Baltimore & Ohio Railroad Co., et al.

The argument of this cause was continued by Mr. William N. Dykman, of counsel for the Jay Street Terminal and Arbuckle Bros., Intervenors, and concluded by Mr. Solicitor General Lehmann, of counsel for the appellants.

844. Metropolitan Water Co. vs. The Kaw Valley Drainage District, etc. Appellant;

This cause was argued by Mr. Willard P. Hall, of counsel for the appellant, and submitted on a printed argument by Mr. L. W. Keplinger of counsel for the appellee.

624. Leo Meyer, as Auditor of the State of Oklahoma, vs. Wells, Fargo & Co. Appellant;

This cause was argued by Mr. Charles West, of counsel for the appellant, and by Mr. S. T. Bledsoe, of counsel for the appellee.

708. The United States Express Co. vs. The State of Minnesota. Plaintiff in Error;

The argument of this cause was commenced by Mr. Robert S. Olds, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, January 17th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton. Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Thomas Williamson, Esquire, of Edwardsville, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Townsend, it is ordered that Sheridan F. Master, Esquire, of Grand Rapids, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

773 James J. Hooker et al., etc., vs. Martin A. Knapp et al., etc. Appellants,

On motion of Francis P. Jo counsel for the pellants in cases, leave by granted to file a supp al brief herein

774 Eagle White Lead Co. et al. vs Interstate Commerce Com mission et al. Appellants

158. St. Louis, Iron Mountain & Southern Railway Co., vs. Grace Watson, Administratrix etc. Plaintiff in Error,

It is ordered the Court th cause be, a same is h passed for

ment.

708 United States Express Co., vs. The State of Minnesota Plaintiff in Error,

The argume this cause continued b Robert E. C

counsel for the plaintiff in error, and by Mr. A. Smith and William J. Stephenson, of coun the defendant in error, and concluded by M Frank B. Kellogg, of counsel for the plainti rror.

292. Salvatore L. Rocca, vs. George F. Thompson. Plaintiff in Error,

The argume this cause c commenced b Frederic R. C

of counsel for the plaintiff in error, and conclu

by Mr. J. W. Hickey, of counsel for the defendant in error.

(Proclamation being made, the Court is adjourned

Thursday, January 18th 191

(Pursuant to adjournment, the Court m
at the Capitol.

Present:

The Honorable Edward D. White, Chi
Joseph McKenna
Oliver Wendell Holme
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, P
James H. McKenne

(Proclamation being made, the Court is op

On motion first made to the Court in
by Mr. A. J. Kane, it is ordered that Jo
Carroll, Esquire, of Rockville, State of M
be admitted to practice as an attorney a
sellor of this Court, and he was sworn ac

On motion first made to the Court in t
by Mr. Edward T. Taylor, it is ordered
Henry C. Hall, Esquire, of Colorado Spring
Archibald A. Lee, Esquire, of Denver, C
Colorado, be admitted to practice as attor
counsellors of this Court, and they were
accordingly.

On motion first made to the Court, it

by Mr. George F. Snyder, it is ordered that William K. De Vicler, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

139. Irene Cubas y Arredondo, Appellant. vs. Felipe R. Cubas y Padilla, et al., etc.

On motion of Mr. Henry A. Hickney in that behalf, leave is hereby granted to file a brief in this cause as amicus curiae.

292. Salvatore L. Rocca, Plaintiff in Error. vs. George F. Thompson.

The argument of this cause was concluded by Mr. J. W. Hickey, of counsel for the defendant in error.

48. Marion W. Savage, Appellant vs. William J. Jones, Jr., State Librarian, et al.

This cause was argued by Mr. M. H. Boutelle, of counsel for the appellant, and Mr. Edwin Corr, of counsel for the appellees.

112. Annie Fairbanks, a minor, etc., Appellant
vs.
The United States.

113. Edwin L. Warren, Appellant
vs.
The United States.

The argument of these cases was commenced by Mr. F. W. Houghton, of counsel for the appellants.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Friday. January 19th. 1912

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices.
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Clayton W. Everett, it is ordered that Harry B. Thompson, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Jack Beall, it is ordered that Will C. Barber, Esquire, of San Marcos, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. C. H. Trimble, it is ordered that Kenneth Dou[illegible]

sel, be admitted to practice as an attorn
counsellor of this Court: and he was swo
ingly.

On motion first made to the Court in a
by Mr. Robert Dunlap, it is ordered th
Burks, Esquire, of Prescott, Territory o
be admitted to practice as an attorney
sellor of this Court: and he was sworn a

On motion first made to the Court in
by Mr. Francis J. Heney, it is ordered
Charles Woolf, Esquire, of Tempe, Terri
Arizona, be admitted to practice as an
and counsellor of this Court: and he was
cordingly.

On motion first made to the Court in the
by Mr. Norris Brown, it is ordered that
B. Perry, Esquire, of Cambridge and Rob
Esquire, of McCook, State of Nebraska, be
to practice as attorneys and counsellors of
and they were sworn accordingly.

112. Annie Fairbanks, a minor, etc., Appellant,
vs.
The United States.

113. Edward L. Warren, Appellant,
vs.
The United States.

The argu
these case
continued
F. W. Hos
of counsel
appellant
by Mr. A

Attorney General Knaebel, of counsel for the appellee, and concluded by Mr. F. W. Houghton, of counsel for the appellants.

65. Eugene M. Thayer, Plaintiff in Error, vs. Eliza M. Schaben et al. The argument of this cause was commenced by Mr. Charles H. Segler, of counsel for the plaintiff in error. The Court declined to hear further argument.

150. Roswell E. Messmyer, Petitioner vs. Peter Anderson. The argument of this cause was commenced by Mr. Harry E. King, of counsel for the petitioner.

Proclamation being made, the Court is adjourned

Monday, January 22d, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Alfred G. Ellick, Esquire, of Omaha, State of Nebraska, and Ramon B. Harrison, Esquire, of Knoxville, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Deb. Faust, it is ordered that Edward S. Ferry, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elbert H. Hubbard, it is ordered that Thomas J. Errington, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas S. Martin, it is ordered that S. H. Sutherland, Esquire, of Chinlwood, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Preston C. West, it is ordered that Benjamin A. Morton, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James Wickersham, it is ordered that Louis K. Pratt, Esquire, of Fairbanks, Territory of Alaska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James K. Jones, it is ordered that Irving Reinberger, Esquire, of Pine Bluff, State of Arkansas, be admitted to practice as an attorney and coun-

On motion first made to the Court in this behalf by Mr Clayton W. Everett, it is ordered that Harry L. Conn, Esquire, of Van Wert, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. T. Michener, it is ordered that Samuel W. Emery, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Frank H. Waskey, Joseph M. Crabtree, J. Potter Whitten and Andrew Eden, Petitioners. vs. Joseph Hammer, Otto Halla and B. Schwarz.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be and the same is hereby remanded to the District Court of the United

States for the District of Alaska, Second Division.
per Mr. Justice Van Devanter.

Louisville & Nashville Railroad Co., Appellant,
vs. } Appeal from the United States Circuit Court of Appeals for the Seventh Circuit.
The F. W. Cook Brewing Co.

No. 54.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby remanded to the District Court of the United States for the District of Indiana.

per Mr. Justice Lurton.

Luong Wing, Plaintiff in Error,
vs. } In Error to the Supreme Court of the State of Montana.
Thomas B. Kirkendall, as Treasurer of the County of Lewis and Clark, State of Montana.

No. 119.

This cause came on to be heard on the transcript

of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Lamar
(Mr. Justice Hughes concurs in the result.)

Josefa Ruiz de Noble, James R. Noble, William D. Noble et al., Appellants, vs. Eliza Gallardo y Geary, Estefania Varonni, Celestina Gallardo y Varonni and Eva Gallardo y Varonni — Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs, without prejudice; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings.

Per Mr. Justice Holmes.

The United States, Petitioner, vs. Wong You, Wong Cheen et al. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed, and that the order of the District Court of the United States for the Northern District of New York in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said District Court.

Per Mr. Justice Holmes.

Eugene M. Thayer, Plaintiff in Error, vs. Eliza M. Schaben, William Schaben and Fred Snyder. In Error to the Supreme Court of the State of Kansas

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause

want of jurisdiction

Per Mr. Chief Justice White.

Bessie Brown English,
vs. (Plaintiff in Error,
N. T. Richardson, County
Treasurer of Tulsa County,

On consideration of the motion to advance this cause It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 19th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

Charles N. Haskell et al.,
vs. Appellants,
The Kansas Natural Gas
Co. et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 19th next, after the cases heretofore assigned for that date.

Per Mr. Chief Justice White.

428 The United States of America et al., Appellants, vs. The Atchison, Topeka & Santa Fe Railway Co. et al.

429 The United States of America et al., Appellants, vs. Union Pacific Railroad Co., et al.

On consideration of the motions to advance these cases, It is now here ordered by the Court that the said motions be, and the same are hereby granted, and the cases assigned for argument on Monday February 19th next, with cases Nos. 883 and 884, as one case.

per Mr. Chief Justice White.

854 Peter J. O'Reilly, Plaintiff in Error, vs. Dora F. Norton, Administratrix etc

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White.

509 The Pullman Company, Plaintiff in Error, vs. Ellsworth C. Irvine, Receiver et al.

On consideration of the motion to transfer this cause to the summary docket, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here

and the same is hereby, denied.

per Mr. Chief Justice White.

932. Olcott C. Colt, Petitioner. vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

The Chief Justice announced that the Court will take a recess from Monday, the 29th instant to Monday, February 19, next.

816 Omaha & Council Bluffs Street Railway Co. et al. vs. Interstate Commerce Commission et al. Appellants. Mr. Solicitor General Lehmann, of counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause.

431. Albert B. Cameron, Petitioner. vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Howard S. Gans in support of the same, and Mr. Solicitor General Lehmann in opposition thereto

282. The Southwestern Brewery & Ice Co., Plaintiff in Error, vs. Joseph Schmidt The motion to amend the writ of error in this cause was submitted to the consideration of the Court on printed arguments by Mr. Evans Browne, Mr. A. B. Browne and Mr. Alexander Britton of counsel for the plaintiff in error in support of the motion, and by Mr. Neill B. Field, Mr. John A. Kratz, Jr., and Mr. Joseph W. Cox, of counsel for the defendant in error in opposition thereto

935. The McCrum-Howell Co., Petitioner, vs. Pope Automatic Merchandising Co., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Hillary C. Messimer in support of the same

943. John Chemgas,
vs. Plaintiff in Error,
Thomas J. Tynan, Warden
of the Colorado State Peni-
tentiary

Mr. Archibald A. Lee, of counsel for the defendant in error, having filed in open court the following certificate, to wit:

"Supreme Court of the State of Colorado.

I, James R. Killian, Clerk of the Supreme Court of the State of Colorado, do hereby certify that in a certain cause pending in said Court wherein John Chemgas was petitioner, and Thomas J. Tynan, Warden of the Colorado State Penitentiary, was respondent, a final judgment was entered by said Court on the first day of May, A. D. 1911, in favor of said respondent, and against said petitioner, and that on the second day of August, A. D. 1911, said John Chemgas sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said Supreme Court, at Denver, Colorado, this 13th day of January, A. D. 1912.

Seal

James R. Killian
Clerk of Supreme Court of the
State of Colorado."

moved the Court to docket and dismiss this cause pursuant to the 4th rule. And it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, it is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Colorado be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice White

Peter Horons,
4/14 vs. Plaintiff in Error.
Thomas J. Tynan, Warden of the Colorado State Penitentiary.

Mr. Archibald A Lee, of counsel for the defendant in error having filed in open court the following certificate, to wit:

" Supreme Court of the State of Colorado.

I, James R. Killian, Clerk of the Supreme Court of the State of Colorado, do hereby certify that in a certain cause pending in said Court wherein Peter Horons was petitioner, and Thomas J. Tynan, Warden of the Colorado State Penitentiary, was respondent, a final judgment was entered by said Court on the first day of May, A. D. 1911, in favor of said respondent, and against said

A.D. 1911, said Peter Horans sued out a writ of error, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said Supreme Court, at Denver, Colorado, this 13th day of January A.D. 1912.

Seal

James R. Killian.
Clerk of Supreme Court of the State of Colorado.

278.

moved the Court to docket and dismiss this cause pursuant to the 7th rule. And it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Colorado be, and the same is hereby docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

554.

Per Mr. Chief Justice White.

The Board of Chosen Freeholders of the County of Burlington et al., Appellants, vs. The Provident Life & Trust Co. of Philadelphia, Trustee

Appeal from the Circuit Court of the United States for the District of New Jersey.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed without costs to either party. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of New Jersey.

per Mr. Chief Justice White

Howard Shaw, individually and as Administrator, &c., Plaintiff in Error, vs. Leonard N. Phillips et al., Trustees

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. L. Thorndike and Mr. E. R. Thayer, of counsel for the defendants in error in support of the motion, and by Mr. Richard Y. FitzGerald, of counsel for the plaintiff in error, in opposition

No 3. Cedar Rapids Gas Light Co., Plaintiff in Error, vs. The City of Cedar Rapids et al. It was ordered by the Court that this cause be and the same is hereby passed, per stipulation of co

150 Roswell E. Messinger, Petitioner, vs. Peter Anderson. The argument of this petition was continued by Rhea C

Mr. C. A. Trimble, of counsel for the petitioner, and concluded by Mr. Clayton W. counsel for the petitioner.

152. John Powers, Plaintiff in Error, vs. The United States. This cause was argued by Sutherla sel for the in error, and by Mr. Assistant Attorney Denison, of counsel for the defendan

157. William Miller, Plaintiff in Error, vs. Will R. King, substituted for the First National Bank of Payette, Idaho. The ar this c comm Mr. Ja Richar for the

(1912)

Proclamation being made, the Court journed until tomorrow at twelve

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar. Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William Hughes, it is ordered that Charles Everett Cook, Esquire, of Asbury Park, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph D. Sullivan, it is ordered that John A. Barnes Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Tuesday, January 23d, 1912, continued.

William Miller,
153 vs. Plaintiff in Error,
Will R. King, substituted
for First National Bank
of Payette, Idaho.

The argument of this cause was continued by Mr. James H. Richards, of counsel for the plaintiff in error, and concluded by Mr. Will R. King, of counsel for the defendant in error.

Albert W. Shulthis,
156. vs. Appellant,
D. A. McDougal et al.
George Franklin Berryhill,
157 vs. Appellant,
Albert W. Shulthis et al.

The argument of this cause was commenced by Mr. C. L. Thomas, of counsel for Albert W. Shulthis, and continued by Mr. George S. Ramsey and Mr. Preston C. West, of counsel for the appellees.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, January 24th, 1912.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. H. Hamilton, it is ordered that John E. Greene, Esquire, of Minot, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward T. Taylor, it is ordered that Charles F. Tew, Esquire, of Greeley, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Albert W. Shulthis,
156. vs. Appellant.
D. A. McDougal et al.

George Franklin Berryhill,
157. vs. Appellant.
Albert W. Shulthis et ux.

George Franklin Berryhill.

The argum
cause was
by Mr. G
of counsel
Appellees, a
by Mr. J
rold, of co

Irene Cuebas y Arredondo,
159. vs. Appellant.
Felipe R. Cuebas y Padilla,
et al., etc.

This ca
mitted
sideral
court o
and a s

brief by Mr. Frederick L. Cornwell an
B. K. Pettengill, of counsel for the app
brief was filed for the appellees.

The Ontario Land Co.,
160 vs. Appellant.
Charles W. Wilfong et al.

This ca
gued b
Agatin,
for the a

and by Mr. Benjamin S. Grosscup, of coun
appellees.

The Atchison, Topeka &
Santa Fe Railway Co.,
162. vs. Plaintiff in Error.
Timothy O'Connor.

The arg
this ca
menced
Robert D
counsel f

liff in error.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William E. Borah, it is ordered that Robert Henry Elder and Eugene V. Boughton, Esquires, of Coeur d'Alene, and Milton A. Cage, Esquire, of Boise, State of Idaho, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Russell Whitman, Esquire, of Chicago, State of Illinois, and Robert E. Lee Saner, Esquire, of Dallas, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

On motion first made to the Cour
half by Mr. W. T. Denison, it is o
Delmas C. Sutter, Esquire, of Wash
trict of Columbia, be admitted to pr
attorney and counsellor of this Court
sworn accordingly.

162. The Atchison, Topeka & Santa Fe Railway Co., vs. Timothy O'Connor. Plaintiff in Error, defendant in error.

The ar
this ca
continu
Archib
of coun
and concluded by
Dunlap, of counsel for the plaintiff i

169. Thomas E. Jacob et al., vs. S. L. Roberts. Plaintiffs in Error, plaintiffs in error.

This
argu
Sam
of co
and by Mr. Willia
Holder, of counsel for the defendant in

164. Hamilton A. Hendricks, vs. The United States. Plaintiff in Error, plaintiff in error.

This
argue
Alfre
of cou
and by Mr. Assistant
General Denison, of counsel for the d
error.

Thursday, January 25th, 1912, continued

165.	Ira W. Collins, Plaintiff in Error, vs. The State of Texas	The argument of this cause was commenced by Mr. Millard Patterson, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Friday. January 26th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M. Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. C. D. Clark, it is ordered that George P. Hambrecht, Esquire, of Grand Rapids, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wesley L. Jones, it is ordered that William H. Miller, Esquire, of Connell, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this be-

half by Mr. Everett P. Wheeler, it is ordered that John W. Griffin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Glasgow, Jr., it is ordered that Michael F. Donoghue, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

St Louis, Iron Mountain & Southern Railway Co., Plaintiff in Error, vs. Grace Watson, Administratrix of the Estate of J. M. Watson, deceased. In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

It appearing to the Court that a stipulation to affirm the judgment of the Circuit Court of the United States for the Eastern District of Arkansas in this cause has been filed, Therefore in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, but without interest. It is further ordered that this cause be, and the same is hereby remanded to the District

United States for the Eastern District of Arkansas.

Per Mr. Chief Justice White

165. Ira W. Collins, Plaintiff in Error, vs. The State of Texas. The argument of this cause was continued by Mr. Millard Patterson, of counsel for the plaintiff in error, and by Mr. Jewell P. Lightfoot, of counsel for the defendant in error, and concluded by Mr. Millard Patterson, of counsel for the plaintiff in error.

166. The Aetna Life Insurance Co., Plaintiff in Error, vs. Patrick F. Tremblay. This cause was argued by Mr. Henry W. Oakes, of counsel for the defendant in error, and submitted on a printed argument by Mr. Ralph W. Crockett, of counsel for the plaintiff in error.

121. Southern Pacific Railroad Co., et al., Appellants, vs. The United States. This cause was argued by Mr. Maxwell Evarts, of counsel for the appellants, and by Mr. Solicitor General Lehmann, of counsel for the appellee.

128.	The United States, Appellant, vs. The Southern Pacific Railroad Co., et al.	These cases were argued by Mr. Maxwell Evarts, of counsel for The Southern Pacific Railroad Co., et al., and by Mr. Solicitor General Lehmann, of counsel for The United States.
129.	The Southern Pacific Railroad Co., et al., Appellants, vs. The United States.	
167.	Bud Brown, Plaintiff in Error, vs. The State of Texas.	In Error to the Court of Criminal Appeals of the State of Texas.

This cause came on to be heard on the transcript of the record from the said Court of Criminal Appeals, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute his writ of error, and failing to appear, it is, thereupon, in pursuance of the 16th rule of this Court, and on the motion of Mr. J. P. Lightfoot, of counsel for the defendant in error, now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Criminal Appeals to be proceeded in according to law and justice.

Per Mr. Chief Justice White.

Proclamation being made, the Court is adjourned

Monday, January 29th, 1912.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar, Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Charles K. Darling, Esquire, of Boston, State of Massachusetts, and George B. Glass, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that John Reed Scott, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Kern, it is ordered that Franklin McCray, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jack Beall, it is ordered that C. M. Chambers, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Capers, it is ordered that W. E. Breese, Jr., Esquire, of Brevard, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States of America ex rel. Lillie Lowe et al., Plaintiffs in Error, vs. Walter L. Fisher, Secretary of the Interior. } In Error to the Court of Appeals of the District of Columbia.

1115.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered

and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice McKenna.

735 The Cherokee Nation and The United States, Appellants, vs. Moses Whitmire, Trustee for the Freedmen of The Cherokee Nation

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the supplemental petition.

Per Mr. Justice McKenna

846 Omaha & Council Bluffs Street Railway Co., et al., Appellants, vs. Interstate Commerce Commission et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 19th next. Ex-

the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

931. Albert B. Cameron, Petitioner vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

938. The McCrum-Howell Co., Petitioner, vs. Pope Automatic Merchandising Co., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

252.

The Southwestern Brewery & Ice Co.,
vs. Plaintiff in Error,
Joseph Schmidt.

On consideration of the motion to amend the writ of error in this cause by joining and uniting as parties plaintiff in error therein Don J. Rankin, Henry Loebs, and Otto Dieckmann, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the said Don J. Rankin, Henry Loebs and Otto Dieckmann be, and they are hereby, made parties plaintiff in error in this cause.

Per Mr. Chief Justice White.

Mr. Attorney General Wickersham presented the following resolutions:

"Resolved, That the members of the bar of the Supreme Court of the United States record their profound appreciation of the life and labors which were brought to a close by the death of Mr. Justice Harlan.

"He was dedicated at his birth to the profession of the law by his father, who was himself an honored and distinguished member of that profession, and prophecy of a personal career was never more completely fulfilled than that which spoke in the christening of John Marshall Harlan. He came into an heroic epoch of American history and, mentally and physically, was cast in an heroic mold. In his earliest manhood he entered

upon the practice of his profession and at the same took part in the political controversies by which the country was then deeply disturbed and which nowhere tried the mettle of American manhood more than in that borderland of contention, of which his native State of Kentucky was a part, and when the discussion of the hustings and of legislative halls proved unequal to the settlement of the problems he met the full measure of patriotic duty by responding to the call to arms and sharing in the perils and privations which an appeal to the arbitrament of war made necessary. Returning, after distinguished service in the field, to the practice of his profession, he continued his interest and his efforts in behalf of the public welfare, and in the contests of politics was a willing leader of the forces which held his faith alike, whether the prospect was of victory or defeat.

"Disciplined by the experiences of civil and military life and by the duties of public and private station he came, in the full maturity of his powers, to this tribunal, whose broad jurisdiction imposes upon its member responsibilities as serious as can rest upon the conscience of man. For nearly 34 years he honored his high position by faithful discharge of its duties. The record of his service is to be found in 136 volumes of reported cases in the determination of which, with few exceptions, he participated. In 700 cases he wrote the opinion of the [illegible]

and in many others he wrote opinions, sometimes of concurrence, for reasons separately stated, and sometimes of radical dissent; but whether he spoke for others or only for himself, and whether in assent or in dissent, it was always in the language of honest and earnest conviction.

"Personal and property rights, individual and corporate interests, the reciprocal relations of citizen, state and nation, in ever-changing phases presented themselves as subjects for adjudication. Indifferent in no instance, there was, however, an especial appeal to him in cases involving those rights of the individual which it was the purpose of the amendments to the Federal Constitution to secure, and he supported the national authority in its fullest scope as the sure means of maintaining those rights.

"His style proclaimed the man. It was simple, direct, strong and rugged. His opinions are supported by abundant authority, but make no vain display of learning and of their meaning there is no room for doubt.

"Virile and masterful, his strength was subdued to a conscience sensitive to right, and his purposes were shaped by a character of perfect integrity. Throughout the many years that fell to his part, as a man, citizen, soldier and judge, he kept without stain the name he bore and which he cherished as the guide and inspiration of his life.

Resolved, That the Attorney General be requested

to present these resolutions to the Court for entry upon the record, and that the chairman of the meeting be directed to send to the family of Justice Harlan a copy of the resolutions with an expression of our sympathy for them in the loss they have sustained.

The Attorney General then said:

"May it please the Court, on the first page of the tenth volume of Peters' Reports of the decisions of this Court is recorded the fact that John Marshall, its Chief Justice, died at Philadelphia, on the 6th day of July, 1835, and, in a brief minute, it is added:

"'His judgments upon great and important constitutional questions, affecting the safety, the tranquillity and the permanence of the Government of his beloved country — his decisions on international and general law, distinguished by their learning, integrity and accuracy, are recorded in the reports of the cases adjudged in the Supreme Court of the United States, in which he presided during a period of 34 years.'

"This simple, bald recital of the services of the great expounder of our Constitution concludes with these words:

"'As long as the Constitution and laws shall endure and have authority, these will be respected, regarded and maintained.'

(Perhaps by no other member of this Court have these decisions been more highly respected, regard

Harlan, the Associate Justice of this Court, who departed this life on October 14, 1911, after a length of service nearly coincident with that of the great judge whose name he bore.

"Mr. Justice Harlan was born in Boyle County Ky., on June 1, 1833. His commission as an associate Justice of this Court is dated November 29, 1877, and he took the oath of office on December 10 of that year, being then little more than 44 years of age.

"His first recorded opinion is that in National Bank v. Insurance Company (95 U.S., 673). His last opinion expressing the judgment of the Court is that in Northern Pacific Railway Company v. Trodick, (221 U.S., 208) rendered May 15, 1911. In the same volume is recorded his very last written opinion, delivered two weeks later, in the case of United States v. American Tobacco Company, concurring in part and in part dissenting from the opinion of the Court.

"The records of his activities as a judge of this Court during the 34 years of his service are, therefore, to be found in the 126 volumes of its published opinions, from the ninety fifth to the two hundred and twenty-first, and they cover the entire range of subjects which have come before this Court during all those years. From the first to the last, these opinions breathe what Lowell called the 'brave old wisdom of sincerity.'

"Justice Harlan was born, educated and came to manhood in Kentucky, then a border State. His

father, James Harlan, was a Whig, a devoted friend of Henry Clay, an admirer of Webster, and an earnest believer in the principles of constitutional law as expounded by Marshall. He intended his son to be a lawyer, and, in the expression of his hopes, he named him John Marshall. The future justice was brought up in the school of thought represented by Marshall, Webster, and Clay. He began to take part in political affairs when he was but 20. He was elected county judge of Franklin County when 25. He was an elector on the Bell and Everett ticket which carried Kentucky in 1860. He threw himself actively into the controversy which developed into civil war in 1861, and, together with James Speed, Attorney General of the United States under Mr. Lincoln, labored successfully to prevent Kentucky from joining the Confederacy. In July 1861 he was commissioned captain of a company of zouaves. His military service lasted until the death of his father in 1863, when, upon resigning his military commission, he was elected attorney general of his State. He continued active in political affairs and, in 1877, was one of the commissioners charged with settling certain disputes which threatened to disturb the peace of the State of Louisiana. In December of that year President Hayes appointed him an Associate Justice of this Court.

"Perhaps the fact that his native State was di-

greater intensity to Justice Harlan's convictions concerning the true meaning and correct interpretation of the Constitution than he might otherwise have felt, and inclined him to a construction which gave to the National Government the maximum power which the language of the fundamental law would permit. The Constitution and the Bible were the objects of his constant thought and consideration, and if the latter was to him always vox Dei, the former, vox populi, was no less so. His opinions were expressed in forceful and vigorous language, and his convictions upon questions of public policy which were involved in the decision of cases in which he wrote, blazed out in language whose meaning admitted of no doubt. When he did not agree with his brethren, he said so in unmistakable terms.

"He was impatient of a construction which limited what he believed to be the intention of the people in adopting the war amendments to the Constitution and which thwarted the entire equalization of the negro with the white man in all political and public relations. He expressed the judgment of the Court in Neal v. Delaware (103 U.S., 370), where it was held that the adoption of the fifteenth amendment rendered inoperative a provision in the then existing constitution of the State of Delaware, whereby the right of suffrage was limited to the white race and that a statute of the State, confining the

tion of jurors to persons possessing the qualifications of electors was enlarged in its operation so as to embrace all those who, by the constitution of the State as modified by the fifteenth amendment were entitled to vote.

"But in the Civil Rights cases (109 U. S.), he vigorously dissented from the view taken by the majority of the court respecting the civil rights act of March 1, 1875, contending that their opinion proceeded 'upon grounds entirely too narrow and artificial.'

"'I cannot resist,' he said, 'the conclusion that the substance and spirit of the recent amendements of the Constitution have been sacrificed by a subtle and ingenious verbal criticism. It is not the words of the law but the internal sense of it that makes the law; the letter of the law is the body; the sense and reason of the law is the soul. Constitutional provisions adopted in the interest of liberty and for the purpose of securing, through national legislation, if need be, rights inhering in a state of freedom and belonging to American citizenship have been so construed as to defeat the ends the people desired to accomplish, which they attempted to accomplish, and which they supposed they had accomplished by changes in their fundamental law. By this I do not mean that the determination of these cases should have been materially controlled by considerations of mere expe-

express an earnest conviction that the Court has departed from the familiar rule requiring, in the interpretation of constitutional provisions, that full effect be given to the intent with which they were adopted:

"Again, in Plessy v. Ferguson (163 U.S., 537), he dissented, with equal vigor, from the decision which sustained the constitutionality of an act of the legislature of Louisiana, requiring railway companies carrying passengers in their coaches in that State to provide equal, but separate, accommodations for the white and colored races.

"'The sure guarantee of the peace and security of each race,' he wrote, 'is the clear, distinct, unconditional recognition by our governments, national and state, of every right that inheres in civil freedom, and of the equality before the law of all citizens of the United States without regard to race. State enactments regulating the enjoyment of civil rights, upon the basis of race, and cunningly devised to defeat the legitimate results of the war, under the pretense of recognizing equality of rights, can have no other result than to render permanent peace impossible and to keep alive a conflict of races, the continuance of which must do harm to all concerned. This question is not met by the suggestion that social equality cannot exist between the white and black races in this country. That argument, if it can properly be regarded as one, is scarcely worthy of consideration for social equality no more exists

between two races when traveling in a passenger coach or a public highway than when members of the same races sit by each other in a street car or in the jury box, or stand or sit with each other in a political assembly, or when they use in common the streets of a city or town, or when they are in the same room for the purpose of having their names placed on the registry of voters, or when they approach the ballot box in order to exercise the high privilege of voting'

"In Hodges v. United States (203 U.S., 1), he dissented from the decision of the majority that the fourteenth and fifteenth amendments to the Constitution operate solely on State action and not on individual action, and that the remedy for wrongs committed by individuals on persons of African descent is through State action and State tribunals, subject to supervision of this Court by writ of error in proper cases; and that, consequently, the United States district courts have no jurisdiction under the thirteenth amendment or sections 1978, 1979, 5508, or 5510 Revised Statutes, of a charge of conspiracy made and carried out in a State to prevent citizens of African descent, because of their race and color, from making or carrying out contracts and agreements to labor.

"He protested against the decision in Hurtado v. People of California (110 U.S., 516) that the words 'due process of law' in the fourteenth amendment

grand jury in a prosecution by a State f
contending that 'due process of law' wi
meaning of the National Constitution
import one thing with reference to the
the State, and another with reference
of the General Government.

" 'My brethren concede,' he wrote 'th
principles of liberty and justice lyin
dation of our civil and political insti
no State can violate consistently with
process of law required by the fourteen
ment in proceedings involving life, li
perty. Some of these principles are en
in the opinion of the court. But for rea
do not impress my mind as satisfactor
clude from that enumeration the exem
prosecution, by information, for a pub
involving life.' * * * *

" 'It is said by the court that the
of the United States was made for an
and expanding future, and that its re
of due process of law in proceedings
life, liberty, and property must be so
as not to deny to the law the capacit
and improvement; that the greatest
the fundamental principles of justice
in the right of the people to make the
laws and alter them at pleasure. It
however, to perceive anything in the sy
prosecuting human beings for their lives
ation, which suggests that the State wh

it has entered upon an era of progress and improvement in the law of criminal procedure'

"He concurred with the majority of the Court in De Lima v. Bidwell (182 U.S., 1) in holding that territory (in this case Porto Rico) acquired by the United States by cession from a foreign power is not 'foreign country' within the meaning of the tariff laws. But in Downes v. Bidwell (182 U.S., 245) he was one of the justices who agreed with the Chief Justice in dissenting from the conclusion that, after its cession to the United States by Spain, the island of Porto Rico was not a part of the United States within that provision of the Constitution which declares that 'all duties imposts and excises shall be uniform throughout the United States'

"In Hawaii v. Mankichi (190 U.S., 197), again dissenting from the majority of the Court, he maintained that, after the annexation of Hawaii and before the passage of the act of Congress providing a government for that Territory, a conviction for manslaughter upon an indictment not found by a grand jury and by the verdict of 9 only out of 12 jurors, in accordance with the laws of Hawaii in force at the time of annexation, could not be legal

"But if he was strong and vigorous in dissent, he was equally so in voicing the conclusions of the majority of the Court. The vigorous line of opinions dealing with the power of the Federal Gov-

examples of the strength of his convictions and the lucidity of his reasoning in constitutional exposition. In them the principles of Marshall's interpretation of the Constitution were fully recognized and applied. In the Lottery case (188 U.S., 321) he demonstrated the proposition that legislation, under the power to regulate commerce among the several States, may sometimes properly assume the form or have the effect of prohibition, and that Congress, under this power might prohibit the carriage of lottery tickets from one State to another. In Minnesota v. Barber (136 U.S., 313) he wrote the decision holding to be unconstitutional a statute of the State of Minnesota which prohibited the sale in that State of fresh beef, veal, pork, etc., for human food, unless the animals from which taken should have been inspected within that State before being slaughtered. In a series of forceful opinions, the last of which was written at the very close of his life, he upheld the right of corporations to engage in interstate commerce without interference or restriction by State authority. These opinions illustrate the surprising freshness and vigor of Justice Harlan's mind. In Western Union Telegraph Co. v. Kansas (216 U.S., 1), and in Pullman Company v. Kansas (216 U.S., 56), it was held that the right to carry on interstate commerce is not a privilege granted by the States, but a constitutional right of every citizen of the United States; that the Congress alone can limit the right of corporations

to engage therein, and that no State may impose, as a condition of carrying on interstate commerce within its borders, a tax of a given percentage of all the capital of a corporation, represented by its business interests and property, everywhere, within and outside of the State; that a corporation organized in one State and doing an interstate business, is not bound to obtain the permission of another State to transact business within its limits, but can go into the latter for the purpose of interstate business, although subject to reasonable legal regulations for the safety, comfort and convenience of the people, which do not, in a real substantial sense, burden or regulate its interstate business, nor subject its other property and interests, outside of the State to taxation. In the case of the International Text Book Company v. Pigg, (217 U. S. 91) he applied these principles in a most interesting and lucid manner, to the case of a Pennsylvania Corporation engaged in furnishing instruction, by correspondence with students in various States.

" 'It is true,' he said, 'that the business in which the International Text Book Co. is engaged is of a somewhat exceptional character, but, in our judgment, it was in its essential characteristics, commerce among the States within the meaning of the Constitution of the United States. It involved, as already suggested, regular and practically continuous intercourse between the Text

scholars and agents in Kansas and
That intercourse was conducted by m
correspondence through the mails wit
agents and scholars. While this mo
sparling and acquiring an education
not be such as is commonly adopted
country, it is a lawful mode to accomp
valuable purpose the parties have in
Intercourse of that kind, between part
ferent States — particularly when it
tion of a valid contract between them,
much intercourse in the constitutional
as intercourse by means of the telegra
new species of commerce', to use the wor
court in Pensacola Telegraph Co. v. W
Union Telegraph Co., (96 U.S. 1, 9.)'

"While always asserting with vigor
acy of Federal control over interstate com
he yet wrote the opinion of the Court in
v. Georgia, (163 U.S., 299), holding valid
of the State of Georgia which forbade
ning of freight trains on any railroad
State on Sunday, upon the ground that
such legislation affected interstate comm
a limited degree, it was not, for that reaso
less intrusion upon the domain of Federal
tion, and would not be respected by the
courts until superseded and displaced
act of Congress passed in exclusion of
to regulate commerce granted by the Co
Where the people of a State deem it ne

their peace, comfort and happiness, to say nothing of the public health and the public morals that one day in each week be set apart by law as a day when business of all kinds carried on within the limits of that State shall cease, whereby all persons of every race and condition in life may have an opportunity to enjoy absolute rest and quiet, that result, he said, speaking for the Court, was obtainable by State legislation which would be valid until Congress should occupy the field by some inconsistent provisions of law.

In an opinion remarkable for learning and research, in the case of Sparf and Hansen v. United States, (156 U.S., 51.) he expressed the judgment of the Court that, in the courts of the United States, it is the duty of the jury, in criminal cases, to receive the law from the court and to apply it as given by the court, subject to the condition that, by a general verdict, a jury, of necessity, determines both law and fact as compounded in the issues submitted to them in a particular case. He summed up the argument in these words:

"We must hold firmly to the doctrine that in the courts of the United States it is the duty of juries in criminal cases to take the law from the court and apply that law to the facts as they find them to be from the evidence. Upon the court rests the responsibility of declaring the law; upon the jury the responsibility of applying the law so declared to the facts as they upon their

the courts, although established in on
clare the law, would for every practic
be eliminated from our system of g
as instrumentalities devised for the
equally of society and of individual
essential rights. When that occurs
ment will cease to be a government
become a government of men. Liberty
by law is the underlying principle
stitutions'

"'It would prolong this address fo
the proper limits of this occasion to e
much further the review of Justice Ha
many contributions to the records of th
during his service of more than one-t
century. Yet no review of his services
adequate which failed to refer to his
tion in the construction and enforcem
law against unlawful restraints upon
commerce and monopolies. Strongly in
in his views and in his characteristics
Keenly sympathetic with the widespread
dread of the effect upon individualism
tendencies toward concentration of co
great industries, and the creation of
listic combinations which found expre
the now famous Sherman Act of 1890.
the court upon the presentation of the f
the Knight case (156 U.S., 1) held tha
be ineffective in checking monopoly at
ception, and powerless in the face of th

sition by a great corporation of 98 per cent. of all the manufactories in the United States of a common necessity, his dissent was expressed in vigorous language.

"'If this combination,' he wrote, 'so far as its operations necessarily or directly affect interstate commerce, cannot be restrained or suppressed under some power granted to Congress, it will be cause for regret that the patriotic statesmen who framed the Constitution did not foresee the necessity of investing the National Government with power to deal with gigantic monopolies, holding in their grasp and injuriously controlling in their own interest the entire trade among the States in food products that are essential to the comfort of every household in the land. × × × ×

"'Undoubtedly the preservation of the just authority of the States is an object of deep concern to every lover of his country. No greater calamity could befall our free institutions than the destruction of that authority, by whatever means such a result might be accomplished. × × × × But it is equally true that the preservation of the just authority of the General Government is essential as well to the safety of the States as to the attainment of the important ends for which that Government was ordained by the people of the United States and the destruction of that authority would be fatal to the peace and well-being of the American people.' (p. 19).

" 'There is no dispute here as to the cha
of the business of refining sugar, apart f
undue restraint which the promoters of
business who have combined to control
seek to put upon the freedom of interst
fie in that article.

" 'It may be admitted that an act whe
nothing more than forbid and which had
other object than to forbid, the mere refini
sugar in any State would be in excess of a
er granted to Congress. But the act of 189
of that character. It does not strike at the
ufacture, simply, of articles that are legitimate or re
subjects of commerce, but at combinations
unduly restrain, because they monopolize
ing and selling of articles which are to go
interstate commerce.' (p. 84).

"He summed up the discussion in these
" 'Whatever improperly obstructs the free
of interstate intercourse and trade, as involv
in the buying and selling of articles to be
ried from one State to another, may be reach
Congress under its authority to regulate com
among the States. The exercise of that auth
so as to make trade among the States in al
recognized articles of commerce absolutely
from unreasonable or illegal restrictions im
by combinations is justified by an express
of power to Congress, and would redound
the welfare of the whole country. I am unab
perceive that any such result would in

the autonomy of the States, especially as that result cannot be attained through the action of any one State.

"'Undue restrictions or burdens upon the purchasing of goods in the market for sale, to be transported to other States, can not be imposed even by a State without violating the freedom of commercial intercourse granted by the Constitution. But if a State within whose limits the business of refining sugar is exclusively carried on may not constitutionally impose burdens upon purchases of sugar to be transported to other States, how comes it that combinations of corporations or individuals within the same State may not be prevented by the National Government from putting unlawful restraints upon the purchasing of that article to be carried from the State in which such purchases are made.' (p.p. 37-38).

"Mr. Justice Harlan wrote the opinion in the Northern Securities case (193 U.S., 197) which was concurred in by three other justices, and in which the conclusions reached were agreed to by Mr. Justice Brewer in an opinion expressing his dissent from the statement of some of the propositions set forth by Mr. Justice Harlan with his accustomed vigor. The case presented was the acquisition by a New Jersey corporation of the control of the capital stocks of two competing trans-continental railroad systems. The majority of the Court held that the acquisition by the Securities Company, through

restrain competition between the companies brought the case within the statute. Justice Harlan, in the argument to sustain the conclusion reached, contended that every combination or conspiracy which would extinguish competition between otherwise competing railroads engaged in interstate trade or commerce, and which would in that way restrain such trade or commerce, is made illegal by the act which embraces all direct restraints imposed by any combination, conspiracy or monopoly upon such trade or commerce, and was not limited in its effect to restraints that are unreasonable in their nature.

"Justice Brewer, on the other hand, maintained that the correct ruling in the case would have been that the contracts under consideration were unreasonable restraints of interstate trade and as such within the prohibition of the anti-trust act.

"Justice Harlan wrote the opinion in Continental Wall Paper Co. v. Voight, (212 U.S., 227), which involved the right of a purchaser of goods from a combination unlawful under the antitrust act to plead such illegality in defense of his failure to pay for the goods. Holding that upon the facts admitted by the demurrer the plaintiff in effect was seeking the aid of the court to enforce a contract for the sale and purchase of goods which was in fact, and was intended to be, based upon agreements that were part of an illegal scheme — a scheme based upon a combination

intended and which would have the effect directly to restrain and monopolize trade and commerce among the several States and with foreign nations ——Justice Harlan, speaking for the majority of the Court, held that the plaintiff could not have judgment for the account sued on, because such judgment would in effect aid the execution of the agreements which constituted the illegal combination.

"In the decisions in the cases against the Standard Oil Company (221 U.S., 1) and the Tobacco Combination (221 U.S., 106) Justice Harlan, while concurring in the decisions, read opinions expressing dissent from opinions which were concurred in by the other members of the Court, with respect to a part of the reasoning advanced in support of the conclusions reached

"Judge Harlan's individuality and his mental characteristics were the results of heredity and early environment. Another Kentuckian who attained fame in a very different line, writing in his autobiography of experiences gained during three months' adventurous voyage in Canadian waters, and speaking of the Canadian sailors whose courage and fortitude in the face of hardship and danger had greatly impressed him, says:

"'These men taught me much of human nature. I found in them the value of the common man. I probably should have found it nowhere else; for it is so well hidden in our more organized society that

than myself fail for all their lives to see the meaning of ordinary life, and so fail to get the most important teaching the world has to give. In a way, I had been prepared for this coming revelation by my contact with the frontier type of man in Kentucky. But at his best the man of the forests and plains cannot compare with the seamen in the even, rounded culture of human quality. As I had known him in Kentucky, he was a fine fellow of the conquering type. He had beaten his brute and human enemies and subjugated the wilderness; but he had never well learned what it was to follow a leader, to put his life in his chief's hands in a ceaseless war with a mastering deep.' (Autobiography of Nathaniel Southgate Shaler, p. 165).

"Justice Harlan was a refined type of the Kentuckian referred to by Prof. Shaler. He had learned in the fierce warfare of personal strife during the Civil War and in the intensity of political contests after the war to beat his brute and human enemies as his fathers had learned to subjugate the wilderness. But he never well learned what it was to follow a leader — at least not a living one. He was a student and disciple of Marshall, but among living men he could lead, but not follow. Where others agreed with his views he would march with them, but when they differed he marched on alone. His was not the temper of the negotiator. Strong, vigorous, self-confident, he stands out as the representative of a type which has made the

American character dominant among the nations."

The Chief Justice responded:

"Mr. Attorney General, your words go home to our hearts and the resolutions of our brethren of the bar move us, since they show both the confidence which the bar reposed in and the affection they bore Mr. Justice Harlan, as well as the veneration they cherish for his memory. The depth with which these feelings are by us shared and the greatness of the sorrow which has come to us by the death of our brother, cannot be appreciated without understanding how completely the discharge of judicial duty in a court of last resort necessitates an effort by all to efface every merely incidental mental and moral tendency to difference of opinion in order that by the perfect equipoise of mind with mind and the union of heart with heart, a composite, wise and just judgment may result.

"The disintegration by death of the union resulting from such ties of intimate and affectionate association brings with it not only bereavement, but a sense of despondency, because of the fleeting and perishable result of all human efforts which it apparently exemplifies. The contemplation, however, of the great life which we commemorate dispels the miasma of despondency and calls us to the onward and upward struggle for higher and holier things since, when rightly measured, the lessons of that life point to the continuing and

performed. Through the mists of parting and the shadow of death itself, clearing our vision by the light which that life affords, we are enabled to see how greatly the dedication of the life of our Brother Harlan to the service of his country, during his more than thirty three years of judicial labor, serves to sustain and to make fruitful for the benefit of all his countrymen the power for good of that ideal and undying personality, the Supreme Court of the United States, the offspring of the devotion of our forefathers to human liberty and their genius to creating institutions for its perpetuation. So noble in conception and yet so simple in execution; so ordinary in its incidents and yet so majestic as the servant of the whole people; so weak, and yet so strong, because founded upon the affection of all the people and depending for its existence upon their continued support.

"It would not be appropriate on this occasion, nor is there presently time, Mr. Attorney General, to afford the opportunity to add to the condensed statement which you have made of the career of Mr. Justice Harlan by giving an outline of his services in peace and in war. I shall, therefore, leave the general subject to some more appropriate occasion, seek only now to depict in the briefest manner some of the most dominant of the moral and mental forces which characterized Mr. Justice Harlan's discharge of judicial duty as seen from the angle of vision of those engaged with him in such duty, thus, perhaps, speaking from a point

of observation which, if not stated now, might possibly pass out of view.

"In the first place, there was ever manifested the supreme importance which he attached to the performance of his judicial work and the consequent dedication which followed of every mental and moral faculty of his being to the doing of that work. In the second place there was likewise consequently manifested a purpose to do justice as it was given him to see it, a justice not resting upon mere metaphysical conceptions or distinctions of casuistry, concerning the lines of separation between right and wrong, but a justice based upon what seemed to him to be a common sense of justice, begetting an ever-present and vivid purpose to uphold the right and to frustrate the wrong, and ever to see to it that the weak were not overmastered by the strong. In the third place — and this was the most prominent of all - he possessed a reverence for and an implicit faith in our constitutional institutions, a faith which knew no doubt and caused him to believe that the power of adaptibility of those institutions was adequate to meet and provide for any possible condition, however complex or novel. And as these dominant qualities were potential in giving shape and form to his mental attributes, the latter in substance were but the reflex of the former. His methods of thought, in disregard of mere subtleties or refined distinctions, led him to the broadest lines of conviction, and as those lines were by him discerned and delineated

between himself and others became impossible of of reconciliation, the warfare of mind with mind was by him carried on, not with adroit fence or subtle play of reason, but with a directness and entire disregard of all narrower points of view. This was particularly observable with reference to his conclusions on questions concerning powers of government arising from constitutional limitations and the consideration of asserted violations of the rights of individuals protected by such limitations. Once his convictions were definitely formed, so complete was his faith, so ardent was his devotion, so unalterable was his purpose to maintain and perpetuate in each and every particular, as he understood it, the Government under the Constitution which he so much loved, that sometimes the very ardor and zeal with which, when he differed from others, the reason for his differences was expounded, produced upon the merely superficial observer the impression that there was doubt on his part as to the power of the Constitution, if interpreted in in conflict with the views which he held, to successfully continue to accomplish the great purpose which it was ordained to secure; but this was indeed a singularly mistaken view since it engendered doubt and weakness merely because of the forms in which supreme and perfect faith had found their expression.

"It being true, as I have said, that the lessons afforded by the life of the great American whose loss we commemorate and deplore afford a con-

a correction of despondency and constitute an incentive, calling upon all to dedicate their lives to a higher and completer fulfillment of duty, why is it not also true that a right contemplation of that life and its results will serve in some measure to assuage the feeling of sorrow begotten by his death? It was given him to exceed the allotted span of mortal existence and during his long and useful career to faithfully serve, in war and in peace, his country; to win the affection of all his countrymen; and to afford an elevating and noble example of duty well and faithfully performed. Ah! contemplating that life, its simplicity, its courage, its devotion to duty, its love of country, does not the faith come to us that in the transition from things finite to things infinite it has been given to him to hear the ineffable melody of those words of benediction, the hope of hearing which has led so many millions to consecrate their lives to the performance of duty and the service of God and their country — 'Well done, thou good and faithful servant.'

"Mr. Attorney General, the resolutions which you present will be ordered spread upon the records along with such other tributes concerning the life and character of Mr. Justice Harlan which were evoked by his death."

936. Charles K. Heike, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. John B. Stanchfield in support of the same, and leave was granted Mr. Solicitor General Lehmann to file a brief in opposition thereto on or before Friday next.

937. Ernest W. Gerbacht, Petitioner vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. George M. McKellar in support of the same, and leave was granted Mr. Solicitor General Lehmann to file a brief in opposition thereto on or before Friday next.

177. George R. Plummer, Appellant, vs. The United States. On motion of Mr. Benjamin Micou in that behalf leave is hereby granted to file a brief in this cause as amicus curiae.

942. Gould Storage Battery Co., Petitioner. vs. Electric Storage Battery Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Walter F. Rogers in behalf of Mr. William Houston Kenyon in support of the same, and by Mr. A. B.

Stoughton and Mr. George S. Graham in opposition thereto.

721. James N. Graham, Plaintiff in Error, vs. The State of West Virginia. Mr. Daniel W. Baker, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this c...

836. The United States, Plff in Error & Appellant, vs. The Antikamnia Chemical Co. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Daniel W. Baker and Mr. F. J. Hogan, of counsel for the defendant in error and appellee in support of the motion, and leave was granted Mr. Solicitor General Lehmann, of counsel for the plaintiff in error and appellant, to file a brief in opposition thereto on or before tomorrow.

945. Hyman Epstein, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Benjamin C. Bachrach in support of the same, and Mr. Solicitor General Lehmann in opposition thereto.

1753. Robert P. Stewart et al., vs. W. W. Mitchell et al. Appellants; Appeal Court of States Distric

It appearing to the Court that a counsel for the appellants to dismi has been filed, Therefore, in pursua motion, it is now here ordered, adju decreed by this Court that this appe the same is hereby, dismissed with Further ordered that this cause be, a is hereby, remanded to the District C United States for the Western Distric

per Mr. Chief J

Proclamation being made, the Court is a until Monday, February 19 next, at twel

(Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
} Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Sears Lehmann, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Walton Moore, it is ordered that Merrel P. Callaway, Esquire, of Macon, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

by Mr. A. Ralph Burton, it is ordered that Clarence F. Burton, Esquire, of Reno, State of Nevada, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edgar M. Kitchin, it is ordered that Arthur L. Kitchin, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hayden Johnson, it is ordered that A. E. Christmas, Esquire, of Kemmerer, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. William Stone Abert, it is ordered that Frederic A. Burlingame, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that W. M. Whelan, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and coun-

sellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. L. Sturdevant, it is ordered that Clinton A. Welsh, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Denman, it is ordered that Leon E. Prescott, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse C. Adkins, it is ordered that Carl C. Mueller, Elmer C. Wood and John Helmus, Esquires, of Washington, District of Columbia, and Villard Martin, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Needham, it is ordered that Edwin C. Mack, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Pope, it is ordered that Charles R. Brice, Esquire, of Houston, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert J. Gamble, it is ordered that Edward E. Wagner, Esquire, of Mitchell, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Robeson, it is ordered that Henry A. Schwartz, Esquire, of Portland, State of Oregon, and Joseph G. Blount, Esquire, of Los Angeles, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William C. Prentiss, it is ordered that Thomas D. Molloy, Esquire, of Yuma, State of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

Joseph Gilfillan, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Yaar, Scott & Co.,
88. vs. Plaintiffs in Error.
O. K. Shannon

In Error to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the said Court of Civil Appeals, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Lamar.

The New Marshall Engine Co., and Frank J. Marshall,
167 vs. Plaintiffs in Error.
The Marshall Engine Co., by Andrew Van Blarcom, its Receiver

In Error to the Superior Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the State

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

The Galveston, Harrisburg & San Antonio Railway Co., and The United States Fidelity & Guaranty Co., Plaintiffs in Error, vs. L. V. Wallace. 105.

In Error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Lamar.

The Galveston, Harrisburg & San Antonio Railway Co. and The United States Fidelity & Guaranty Co., Plaintiffs in Error, vs. J. D. Crow. 106

In Error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas.

This cause came on to be heard on the

of the record from the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

123. Patrick B. McCarthy, Plaintiff in Error, vs. The First National Bank of Rapid City, South Dakota. In Error to the Supreme Court of the State of South Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

151. George S. Latimer, Appellant, vs. The United States. Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel.

adjudged and decreed by this Court that
of the said District Court in this cause
the same is hereby, affirmed.

Per Mr. Justice

William Miller, In Error
153 vs. Plaintiff in Error, Supreme C
Will R. King, substituted the State o
for the First National Bank
of Payette, Idaho.

This cause came on to be heard on the tr
of the record from the Supreme Court of the
of Oregon, and was argued by counsel. O
eration whereof, It is now here ordered and
judged by this Court that the judgment o
Supreme Court in this cause be, and the sam
hereby affirmed with costs and interest u
at the same rate per annum that similar
ments bear in the courts of the State of Ore

Per Mr. Justice La

The United States, In Error to
611 vs. Plaintiff in Error, cuit Court of
Nord Deutscher Lloyd. States for the
District of Ne

This cause came on to be heard on the tran
of the record from the Circuit Court of the
States for the Southern District of New Yor
was argued by counsel. On consideration
It is now here ordered and adjudged, by

Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed, and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Lamar.

844. Metropolitan Water Co., Appellant, vs. The Kaw Valley Drainage District of Wyandotte County, Kansas, et al. Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Kansas.

Per Mr. Justice Lamar.

110	Charles Reitler, Plaintiff in Error, vs. William A. Harris.	In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Van Devanter

384	Gabriel Diaz, Plaintiff in Error, vs. The United States	In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Van Devanter

Dissenting:
Mr. Justice Lamar

No. The United States, Petitioner, vs. Bernard Citron. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed; and that this cause be, and the same is hereby remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Hughes.

No. 444 Richard Ferris, Plaintiff in Error, vs. Charles Frohman, Charles Haddon Chambers and Stephans Gallo. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Hughes.

185. The City of Cincinnati, Plaintiff in Error, vs. The Louisville & Nashville Railroad Co. — In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lurton.

83. The Lincoln Gas & Electric Light Co., Appellant, vs. The City of Lincoln et al — Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Nebraska with directions to refer the case to a competent and

upon all of the questions raised by either party, separately, and with leave to both parties to take any additional evidence they may wish within a time to be fixed by the Court, and that that Court upon such report proceed as equity shall require. It is further ordered, adjudged and decreed for the protection of all parties that the injunction granted in the Court below continue in force until final decree there, upon condition that the appellant enter into a new bond, with sureties satisfactory to the Court below, to account for all overcharges to consumers since the original restraining order in the suit the ordinance shall be sustained, and that if such bond be not made within twenty days after the filing of the mandate of this Court, that the injunction shall be dissolved.

Per Mr. Justice Lurton.

155. Metropolitan Redwood Lumber Co., Claimant of the Steamer "San Pedro." vs. Appellant. Charles P. Doe, Owner of the American Steamer "George W. Elder," et al.

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California.

whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court with directions to dismiss the libel.

Per Mr. Justice Lurton

Irene Cubas y Arredondo, Appellant. vs. Felipe R. Cubas y Padilla et al., constituting the succession of Felipe Cubas y Arredondo, deceased. — Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lurton.

Salvatore L. Rocca, Plaintiff in Error, vs. George F. Thompson. — In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript

of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

105. United States Express Co. vs. The State of Minnesota. Plaintiff in Error, In Error to the Supreme Court of the State of Minnesota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Minnesota.

Per Mr. Justice Day.

132. John Powers, vs. The United States. Plaintiff in Error. In Error to the District Court of the United States for the Western District of Virginia

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Virginia, and

It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed

Per Mr. Justice Day.

11. Ker & Company, vs. Albert R. Couden — Plaintiffs in Error, — In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice McKenna.

162. The Atchison, Topeka & Santa Fe Railway Co. vs. Timothy O'Connor. — Plaintiff in Error, — In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It

Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby, remanded to the District Court of the United States for the District of Colorado for further proceedings in conformity to the opinion of this Court.

Per Mr. Justice Holmes

165 Ira W. Collins, Plaintiff in Error, vs. The State of Texas. In Error to the Court of Criminal Appeals of the State of Texas

This cause came on to be heard on the transcript of the record from the Court of Criminal Appeals of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Criminal Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

624 Leo Meyer, as Auditor of the State of Oklahoma, Appellant, vs. Wells, Fargo & Company. Appeal from the Circuit Court of the United States for the Western District of Oklahoma

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Oklahoma, and

It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Oklahoma.

Per Mr. Justice Holmes

Ruther Jacobs, Lillie Jacobs, and E. D. Wilcox as Guardian of Ruther Jacobs, Plaintiffs in Error, vs. A. G. Prichard, Trustee

In Error to the Supreme Court of the State of Washington

No. 5

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

Annie Fairbanks, a minor, by her guardian ad litem, Benjamin L. Fairbanks, Appellant, vs. The United States.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit

No. 112.

of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Minnesota.

Per Mr. Justice McKenna

113. Edward L. Warren, Appellant, vs. The United States. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed; and that this cause be and the same is hereby remanded to the District Court of the United States for the District of Minnesota

Per Mr. Justice McKenna

United States Fidelity & Guaranty Co., Appellant, vs. A. Sandoval & T. Sandoval. } Appeal from the Supreme Court of the Territory of Arizona.

No. 138.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice McKenna.

The New York Continental Jewell Filtration Co., (Plaintiff in Error) vs. The District of Columbia. } In Error to the Court of Appeals of the District of Columbia.

No. 145.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice [illegible]

Northwestern Mutual Life Insurance Co., Petitioner, vs. J. William McCue, Samuel O. McCue, Harry M McCue, and Ruby J. McCue, Infants, by Marshall Dinwiddie, their next friend, et al

135. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby reversed with costs, and that the judgment of the Circuit Court of the United States for the Western District of Virginia be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Virginia.

Per Mr. Justice McKenna

Thomas E. Jacob and Frank Hobson, Plaintiffs in Error, vs. S. L. Roberts.

169. In Error to the Supreme Court of the State of California

of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice McKenna

1910. The United States. Petitioner. vs. Leopold Baruch. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed, and that the decree of the Circuit Court of the United States for the Southern District of New York be, and the same is hereby, affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Chief Justice White

The Aetna Life Insurance Co., Plaintiff in Error; vs. Patrick F. Trumbley. In Error to the Supreme Judicial Court of the State of Maine.

No. 166.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Maine, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

The Vessel "Abby Dodge," A. Kalimeris, Claimant, Appellant; vs. The United States. Appeal from the District Court of the United States for the Southern District of Florida.

No. 41.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to permit The United States, if desired, to amend the libel so as to present a case within

164. Hamilton A. Hendricks, Plaintiff in Error, vs. The United States. In Error to the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Oregon.

Per Mr Chief Justice White

36. Pacific States Telephone & Telegraph Co., Plaintiff in Error, vs. The State of Oregon In Error to the Supreme Court of the State of Oregon.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

503. Frank Kiernan, Plaintiff in Error, vs. The City of Portland, Joseph Simon, Mayor, et al. — In Error to the Supreme Court of the State of Oregon.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

534. Horace Chase, Individually and as Administrator of the Estate of De Forrest Woodruff Chase, deceased, Plaintiff in Error, vs. Leonard A. Phillips, and Samuel C. Laurence, Trustees — In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

John A. Knoll et al.,
Railroad & Warehouse Commissioners et al.
130 vs. Appellants.
Chicago, Burlington & Quincy R.R. Co.
Chicago, Burlington & Quincy R.R. Co.
134 vs. Appellant.
John A. Knoll, R.R. and Warehouse Commrs, et al.
John A. Knoll et al., R.R. and
Warehouse Commrs, et al.,
672 vs. Appellants.
to Various Railroad Companies
705 Various Railroad Companies.
vs. Appellants.
John A. Knott et al., R.R. and
Warehouse Commrs, et al
Louisville & Nashville R.R. Co.,
307 vs. Appellant.
Adam T. Siler et al., as The
Railroad Commission of Kentucky
The Chesapeake & Ohio Railway Co.
364 vs. Plaintiff in Error,
W.G. Conley, Attorney General, et al
The Oregon Railroad & Navigation Co.,
434 vs. Appellant.
Thomas K. Campbell et al
George T. Simpson et al
599 vs. Appellants.
David C. Shepard

It is ordered by the Court that these cases be, and they are hereby, reassigned for argument on Monday, April 1st. 1912
Per
Mr. Chief Justice White.

George T. Simpson et al.,
600 vs. Appellants,
Emma B. Kennedy et al.,
Executors, etc., et al.
George T. Simpson et al.,
601 vs. Appellants,
William Shillaber.
Southern Pacific Co., et al.,
784 vs. Appellants,
Thomas K. Campbell et al.,
Commissioners, etc., et al.
Robert P. Allen et al., Commissioners, etc., et al.
813 vs. Appellants,
The St Louis, Iron Mountain & Southern Railway Co.
Robert P. Allen et al., Commissioners, etc., et al.,
814 vs. Appellants
The St Louis Southwestern Railway Co.
Railroad Commission of Ohio,
776 vs. Appellant.
B. A. Worthington, Receiver, etc.
Railroad Commission of Ohio,
505 vs Appellant.
B. A. Worthington, Receiver, etc.

820 The United States of America, Appellant, vs. The Union Pacific Railroad Co. et al. — It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, April 1st, 1912, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

721 James H. Graham, Plaintiff in Error, vs. The State of West Virginia — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 1st, 1912, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

836 The United States of America, Plaintiff in Error & Appellant, vs. The Antikamnia Chemical Co. — It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White

936 Charles R. Heike, Petitioner
vs.
The United States

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

937 Ernest W. Gerbracht, Petitioner.
vs.
The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

912. Gould Storage Battery Co., Petitioner. vs. Electric Storage Battery Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

945 Hyman Epstein, Petitioner. vs. The United States — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr Chief Justice White

763

981

980

Walter Baker & Co., Ltd. vs. Sidney C. Gray et al.

Petitioner.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. L. Putnam, Mr. Frank T. Reed and Mr. E. S. Rogers in support of the same, and Mr. Dorr Raymond Cobb in opposition thereto.

William Adler, vs. The United States.

Petitioner.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. E. D. Saunders, Mr. Charles Rosen, Mr. J. D. Rouse, Mr. William Grant and Mr. Gustave Lemle in support of the same, and leave was granted Mr. Solicitor General Lehmann to file a brief in opposition thereto on or before Friday next, if so advised.

William A. Pierce, vs The United States of America.

Petitioner,

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Frederic D. McKenney in behalf of Mr. A. S. Worthington in support of the same, and leave was granted Mr. Solicitor General Lehmann to file a brief in opposition thereto on or before Friday next.

985 Mitchell Coal & Coke Co., Petitioner. vs. Pennsylvania Railroad Co. The fo writ o herein mitted

sideration of the Court by Mr. Josep and Mr. George S. Graham in supp same

867. Ben Blanchard et al., Petitioners. vs. G. W. Ammons et al The pet writ of herein ted to th

ation of the Court on printed argum William L. Prentiss in behalf of Mr Clark in support of the same, and M Griggs and Mr. Martin Conboy in o thereto.

948 Frank N. Thomas, Petitioner, vs. Conrad H. Matthiessen The petit writ of e herein w ted to the

ation of the Court on printed argume Mr. Alfred A. Wheat and Mr. Philip in support of the same, and by Mr. A Rounds in opposition thereto

titition for a
f certiorari
was sub-
d to the con-
ch Gilfillan
hort of the

titition for a
certiorari
was submit-
e consider
ents by Mr
Elias S.
Mr. John W.
pposition

tion for a
rtiorari
as submit-
consider-
nts by
A. Rollins
Arthur C.

The Model Bolling Machinery Co., Petitioner,
475. vs.
Anheuser Busch Brewing Association.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. L. S. Bacon on behalf of Mr. Hugh K. Wagner in support of the same, and by Mr. Charles C. Linthicum in opposition thereto.

The Singer Manufacturing Co.,
606. vs. Appellant,
Wirt Adams, State Revenue Agent of Mississippi, et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Harry Peyton in behalf of Mr. C. A. Alexander, of counsel for the appellant in support of the same.

Charles Beeker,
951. vs Petitioner.
D. T. Humphrey et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Joseph M. Schultz in support of the same.

961. Alphonse Dufaur and Eva Dufaur, Petitioners, vs. The United States.

The petitio
of certiora
was submi
considera
Court by
Browne, Mr. A. B. Browne, Mr. Burton
Mr. Otis N. Waldo and Mr. T. J. Fle
of the same, and leave was granted M
General Lehmann to file a brief in o
thereto on or before Friday next, if so

541. C. K. Sharpe et al., Appellants, vs. E. W. Bonham et al.

Mr. Alfre
in behalf
for the appe
submitted
sideration of the Court a suggestion o
tion of the record and motion for a c
tiorari in this cause.

439. Isidor Straus et al., etc., Plaintiffs in Error, vs. American Publishers' Association et al.

The m
dismi
form
cause
mitted
sideration of the Court on the record an
arguments by Mr. Stephen N. Olin, of
for the defendants in error in support of
and by Mr. Edmond E. Wise and M
Macfarlane, of counsel for the plaintiff
in opposition thereto.

298.	Margaret Kopp et al., Appellants, vs. Maria Waters.	Appeal from the Court of Appeals of the District of Columbia

It appearing to the Court that a motion of counsel for the appellants to dismiss this appeal has been filed. Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by the Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice White

759	E. E. Taenzer & Co., Petitioner. vs. Chicago, Rock Island & Pacific Railway Co.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit

It appearing to the Court that a motion of counsel for the petitioner to dismiss the petition for a writ of certiorari in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered by this Court that said petition be, and the same is hereby, dismissed.

Per Mr. Chief Justice White

846.	Omaha & Council Bluffs Street Railway Co. et al., Appellants, vs. Interstate Commerce Commission	The argument of this cause was commenced by Mr. John Lee Webster of counsel for the appellants.

Tuesday, February 20th, 1912.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day — Associate
Horace H. Lurton — Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William Sulzer, it is ordered that Gustavus A. Rogers, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. S. Kenyon, it is ordered that N. E. Kendall, Esquire, of Albia, State of Iowa, and Samuel N. Crosby, Esquire, of Denver, State of Colorado, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf

by Mr. William Hughes, it is ordered that Ben D. Kimpel, Esquire, of Fort Smith, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh H. Obear, it is ordered that Charles J. St. John, Esquire, of Bristol, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. L. Jones, it is ordered that Ira D. Englehart, Esquire, of North Yakima, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Omaha & Council Bluffs Street Railway Co., et al., vs. Appellants, Interstate Commerce Commission et al.

The argument of this cause was continued by Mr. John Lee Webster, of counsel for the appellants; by Mr. Assistant Attorney General Denison, of counsel for the United States, and by Mr. Charles W. Needham, of counsel for the Interstate Commerce Commission, and concluded by Mr. John Lee Webster, of counsel for the appellants

The Interstate Commerce Commission et al.,
879, 880 vs. Appellants,
Goodrich Transit Co.
The United States et al.,
881, 882 vs. Appellants,
White Star Line.

On motion of Mr. Ralph M. Shaw, of counsel for the appellees, one hour additional time is allowed each side in the argument of these cases.

The argument in these cases was commenced by Mr. Assistant to the Attorney General Fowler, of counsel for The United States, and continued by Mr. Ralph M. Shaw, of counsel for the appellees.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Wednesday, February 21st, 1912.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that Curtis C. Williams, Esquire, of Columbus, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Blackburn Esterline, it is ordered that Stephen A. Foster, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

John T. Van Metre, Esquire, of Mahnomen, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William G. Brantley, it is ordered that George M.K. McClellan, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P.P. Campbell, it is ordered that W.S. Fitzpatrick, Esquire, of Independence, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

The Interstate Commerce Commission et al., Appellants,
879 & 880. vs.
Goodrich Transit Co.

The United States et al., Appellants,
881 & 882. vs.
White Star Line.

The argument of these cases was continued by Mr. Ralph M. Shaw, of counsel for the appellees, and concluded by Mr. Charles W. Needham, of counsel for The Interstate Commerce Commission.

641 M. Anderson, vs. The Pacific Coast Steamship Co., Claimant, etc.
642 N. Jordan vs. The Pacific Coast Co., Claimant, etc.

These cases were argued by Mr. William Denman, of counsel for Anderson and Jordan, and by Mr. Graham Sumner, of counsel for the Steamship Companies, and leave was granted to both counsel to file additional briefs within ten days.

641 M. Anderson vs. The Pacific Coast Steamship Co., Claimant, etc.
642 N. Jordan vs. The Pacific Coast Co., Claimant, etc.

The petition for a writ of certiorari herein to bring up the whole record and cause was submitted to the consideration of the Court on printed arguments by Mr. Graham Sumner and Mr. George W. Towle in support of the same, and by Mr. William Denman in opposition thereto.

Proclamation being made, the Court is adjourned

Friday, February 23d, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar. Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. George Sutherland it is ordered that Charles B. Stewart, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton Strasburger, it is ordered that George Hart, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. C. Bacon, it is ordered that Marion Smith, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that George D. Rodgers, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas McEwan, it is ordered that George J. McEwan, Esquire, of West Hoboken, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Clark, it is ordered that W. J. Sears, Esquire, of Kissimmee, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Carusi, it is ordered that H. Francis Dyruff, Esquire, of New York City,

counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James P. Clarke, it is ordered that D. K. Hawthorne, Esquire, of Jonesboro, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Northern Pacific Railway Co., The Rock Fork Coal Co. of Montana, and The Northwestern Improvement Co., Appellants, vs. The United States.

Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

251

It appearing to the Court that a motion of counsel for the appellants to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice White.

Friday, February 23d, 1912, continued

Minneapolis, St. Paul & Sault Ste. Marie Railway Co., Plaintiff in Error,
vs. In Error to the
544 William N. Ladd Circuit Court of
Rusk County,
State of Wisconsin

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed without costs to either party.

Per Mr. Chief Justice White.

Bessie Brown English, Plaintiff in Error,
559 vs.
H. T. Richardson, County Treasurer of Tulsa County
Michael A. Gleason et al., Plaintiffs in Error,
575 vs.
J. J. Wood, County Treasurer, etc., et al.
George W. Choate et al., Plaintiffs in Error,
809 vs.
M. E. Trapp, Secretary, etc., et al.

The argument of these cases was commenced by Mr. W. L. Sturdevant, of counsel for the plaintiffs in error in Nos. 559 and 575; continued by Mr. David C. McCurtain, of counsel for the plaintiffs in error in No. 575, and Mr. Charles West, of counsel for the defendants in error, and concluded by Mr. Joseph W. Bailey, of counsel for the plaintiffs in error in No. 809.

914. Charles N. Haskell et al., Appellants, vs. The Kansas Natural Gas Co., et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles West, of counsel for the appellants and by Mr. John G. Johnson, Mr. D. T. Watson, Mr. E. L. Scarlett and Mr. John J. Jones, of counsel for the appellees.

883 The United States of America et al., Appellants, vs. Atchison, Topeka & Santa Fe Railway Co., et al.

884 The United States of America et al., Appellants, vs. Union Pacific Railroad Co., et al.

928 The United States of America et al., Appellants vs. Atchison, Topeka & Santa Fe Railway Co., et al.

929 The United States of America et al., Appellants, vs. Union Pacific Railroad Co., et al.

On motion of Mr. Attorney General Wickersham, of counsel for The United States four hours are allowed to each side for the argument of these cases. The argument of these cases was commenced by Mr. Assistant to the Attorney General Fowler, of counsel for The United States

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Alexander Cameron, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that Abner H. Ferguson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

by Mr. Robert O. Harris, it is ordered that Arthur Thad Smith and Jeremiah S. Sullivan, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

18. The Kansas City Southern Railway Co., Plaintiff in Error, vs. C. H. Albers Commission Co. — In Error to the Supreme Court of the State of Kansas

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Van Devanter

60 The United States, Plaintiff in Error, vs. Harvey C. Miller and Morris F. Miller — In Error to the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia

and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Georgia, for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Van Devanter

605 The United States, Plaintiff in Error, vs. Harvey C. Miller and Morris F. Miller. In Error to the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Georgia for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Van Devanter

121. Southern Pacific Railroad Co., D. O. Mills and Homer S. King, Trustees, and Central Trust Co. of New York, Trustee, Appellants, vs. The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

126

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California.

129

Per Mr. Justice Holmes.

The United States. Appellant,
vs.
The Southern Pacific Railroad Co., D. O. Mills and Homer S. King, Trustees, and Central Trust Co. of New York, Trustee.

The Southern Pacific Railroad Co. D. O. Mills and Homer S. King, Trustees, and Central Trust Co. of New York, Trustee, Appellants,
vs.
The United States.

Appeals from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that so much of the decree of the said Circuit Court of Appeals as is appealed from by the defendants, be, and the same is hereby, reversed, and so much of the decree as is appealed from by the complainant be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes.

160 The Ontario Land Co., Appellant, vs. Charles N. Wilfong and May A. Wilfong, his wife; and Lydia Mac Millan Reed, Executrix of Walter J. Reed, deceased

Appeal from the United States Circuit Court of Appeals for the Ninth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Washington.

Per Mr. Justice McKenna.

83 The United States, Appellant, vs. Charles E. Ellicott and John B. Norris, Copartners, trading as Ellicott Machine Co.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition.

Per Mr. Chief Justice White.

1139. Isidor Straus et al, composing the firm of R. H. Macy & Company, vs. American Publishers Association et al. Plaintiffs in Error.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White.

1148. Frank N. Thomas, vs. Conrad H. Mallinckrodt. Petitioner.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

Ben Blanchard and The Howell Mining Co., Stockholders of The American Copper Co.,
vs. Petitioners.
867. W. W. Ammons, Brisley Drug Co. et al., Creditors of The American Copper Co., Bankrupt.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Charles Becker,
vs. Petitioner.
954 Dudley T. Humphrey, Clifford M. Washburn and Josiah M. Fiske and Arthur C. Sherwood, individually and as co-partners composing the firm of J. M. Fiske & Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit

Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

961. Alphonse Dufaur and Eva Dufaur, Petitioners. vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

963. Walter Baker & Co. Limited, Petitioner. vs. Sidney C. Gray, and Clinton C. Gray, co-partners as The Gray Mercantile Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as

now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

975. The Model Bottling Machinery Co., Petitioner, vs. Anheuser-Busch Brewing Association. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

980. William A. Pierce, Petitioner, vs. The United States of America. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

981. William Adler, Petitioner. vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

985. Mitchell Coal & Coke Co. Petitioner. vs. Pennsylvania Railroad Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

396. C. R. Sharpe et al., Appellants. vs. E. W. Bonham et ux. On consideration of the suggestion of the diminution of the record and motion for a writ of cer

by the Court that a writ of certiorari
same is hereby granted, and that
presented with said suggestion an
taken and filed as a return to sa

Per Mr. Chief J

Commonwealth of Virginia, Complainant. On con
3. Original. vs. of the
State of West Virginia. the Sp
appoi

cause, to fix the compensation for his
It is now here ordered by the Court
allowed the sum of twenty thousand
for such services, to be taxed as cos

per Mr. Chief J

Order.

It is ordered by the Court that R
the Rules of this Court be, and the sa
amended so as to read as follows:

36.

1. An appeal or a writ of error from
Court direct to this Court, in the case
for in Sections 238 and 252 of the Ac
"An Act to Codify, Revise and Amend
Relating to the Judiciary", approved
1911, chapter 231, may be allowed, in
in or vacation by any Justice of this Cou
any Circuit Judge assigned to the Di
or by any District Judge within his
and the proper security be taken and

tion signed by him, and he may also grant a supersedeas and stay of execution or of proceedings, pending such writ of error or appeal.

2. Where such writ of error is allowed in the case of a conviction of an infamous crime, or in any other criminal case in which it will lie under Section 238, the District Court, or any Judge thereof, or any Justice of this Court, or any Circuit Judge assigned to the District Court, shall have power, after the citation is served, to admit the accused to bail in such amount as may be fixed.

Per Mr. Chief Justice White.

519 Chester S. Jordan, Plaintiff in Error, vs. The Commonwealth of Massachusetts.

Mr James M. Swift, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

569 Baltic Mining Co., Plaintiff in Error, vs. Commonwealth of Massachusetts.

The motion to advance this cause was submitted to the consideration of the Court by Mr. James M. Swift, of counsel for the defendant in error in support of the same, and by Mr. Charles A. Snow and Mr. Joseph H. Knight, of counsel for the plaintiff in error in opposition thereto.

854. The Interstate Commerce Commission, vs. Plaintiff in Error. The United States of America ex rel. Humboldt Steamship Co.

Mr. Solicitor General Lehmann, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

772. Fred J. Bliss, vs. Petitioner The Washoe Copper Co., et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Hannis Taylor, Mr. Robert Lee Clinton and Mr. Caleb M. Sawyer in support of the same, and Mr. John A. Garver, Mr. James M. Best and Mr. L. O. Evans in opposition thereto.

945. Mary J. Lecsnitzer et al., vs. Appellants, Margaret E. Taylor in her own right and as executrix of Thomas Taylor, deceased.

Mr. J. J. Darlington, of counsel for the appellee, having filed in open court the following certificate, to wit:

"Court of Appeals of the District of Columbia

I, Henry W. Hodges, Clerk of the Court of Appeals of the District of Columbia, do hereby certify that in a certain cause pending in said Court, wherein Margaret E. Taylor in her own right and as executrix of Thomas Taylor, deceased

was appellant, and Mary J. Leesnitzer, Elizabeth E. Padgett and Franklin L. Padgett were appellees, a finial decree was rendered by said Court of Appeals on the 29th day of May, A.D. 1911, in favor of the said appellant, and against the said appellees, and that on the 31st day of May, A. D. 1911, said appellees prayed an appeal to the Supreme Court of the United States which was allowed.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Court of Appeals, at the City of Washington, this 3d day of January, A. D. 1912.

Seal

Henry W. Hodges,
Clerk"

moved the Court to docket and dismiss this cause pursuant to the 9th rule. And it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Court of Appeals of the District of Columbia be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals to be proceeded in according to law and justice.

Per Mr. Chief Justice White

969 Thaddeus Davids Co., Petitioner. vs. Lovland I. Davids et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. W. P. Preble in support of the same.

536 Charles W. McConnel, Appellant. vs. George H. Burr, William A. Macleod and Frank N. Cook. Appeal from the Circuit Court of the United States for the District of Massachusetts.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs; It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Massachusetts.

Per Mr. Chief Justice White

170. Charles Clason, Appellant. vs. Nick Matko et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward M. Cleary, of counsel for the appellant, and Mr. A. K. Berven, of counsel for the appellees.

183	The United States of America et al., vs. Appellants, Atchison, Topeka & Santa Fe Railway Co., et al.	The argument of these cases was continued by Mr. F. J. Farrell, of counsel for the Inter state Commerce Commission; by Mr. Stephen A. Fosler, of counsel for the Chicago Association of Commerce; by Mr. N. M. Stephens, of counsel for the City of Spokane et al., and by Mr. T. C. Dillard, of counsel for the appellees
884	The United States of America et al., vs. Appellants, Union Pacific Railroad Co., et al	
928	The United States of America et al., vs. Appellants, Atchison, Topeka & Santa Fe Railway Co. et al.	
929	The United States of America et al., vs. Appellants, Union Pacific Railroad Co., et al	

Proclamation being made, the Court is adjourned

Tuesday, February 27th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar. Associate Justices.
John M. Wright, Esquire, Marshal.
James D. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Stanton Warburton, it is ordered that E. Newell Steele, Esquire, of Olympia, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. Percy Myers, it is ordered that Clifford V. Church, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

883	The United States of America et al., vs. Appellants Atchison, Topeka & Santa Fe Railway Co., et al.	The argument of these cases was continued by Mr. F. C. Dillard, of counsel for the appellees, by Mr. F. W. M. Culchion of counsel for the Denver & Rio Grande Railroad Co. et al and by Mr. Joseph N. Teal, of counsel for the Portland Chamber of Commerce et al., and
884	The United States of America et al., vs. Appellants, Union Pacific Railroad Co. et al.	
928	The United States of America et al., vs Appellants. Atchison, Topeka & Santa Fe Railway Co., et al.	
929	The United States of America et al., vs. Appellants, Union Pacific Railroad Co., et al	

concluded by Mr. Attorney General Wickersham, of counsel for The United States.

168.	The Pennsylvania Railroad Co., vs. Plaintiff in Error, International Coal Mining Co.	The argument of this cause was commenced by Mr. Francis J. Gowen, of counsel for the Plaintiff in error.

Proclamation being made, the Court is adjourned

Wednesday, February 28th, 1912.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day, Associate
Horace H. Lurton, Justices.
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Xenophon P. Wilfley, Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Dixon, it is ordered that John G. Brown, Esquire, of Helena, State of Montana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

300. J. A. Serrien & Co., Appellant, vs. Premium Manufacturing Co. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called to the attention of the Court by Mr. Frederick W. Lehmann, of counsel for the appellee, and it appearing to the Court that a stipulation of counsel for the respective parties to abide the decision in the case of J. A. Serrien & Co., Appellant, vs. Rice, Stix Dry Goods Company, No. 299 on the docket for the present term, has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

168. Pennsylvania Railroad Co., Plaintiff in Error, vs. International Coal Mining Co. The argument of this cause was continued by Mr. Francis J. Gowen, of counsel for the plaintiff in error, and by Mr. William A. Glasgow, Jr., of counsel for the defendant in error, and concluded by Mr. Francis J. Gowen, of counsel for the plaintiff in error.

Lafayette E. Campbell, et al.,
161. vs. Plaintiffs in Error.
The United States of America

It is ordered by the Court that this cause be, and the same is hereby, passed

Cassius B. Thomas et al.,
171. vs. Plaintiffs in Error.
William C. Taylor

This cause was argued by Mr. Nash Rockwood, of counsel for the plaintiffs in error, and by Mr. Edgar T. Brackett, of counsel for the defendant in error.

National Bank of Newport, New York,
172. vs. Appellant,
National Herkimer County Bank of Little Falls, N. Y.

The argument of this cause was commenced by Mr. Henry J. Cookinham, of counsel for the appellant, and continued by Mr. Myron C. Bronner, of counsel for the appellee.

(Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.)

Thursday. February 29th. 1912.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edward T. Taylor, it is ordered that William L. Hartman and John A. Martin, Esquires, of Pueblo, State of Colorado, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanton Warburton, it is ordered that Daniel W. Hoan, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Homer Wall, John C. McCreery and W. A. McCreery,
182. vs. Plaintiffs in Error,
The People of the State of Colorado.

In Error to the Supreme Court of the State of Colorado.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

National Bank of Newport, New York,
172. vs. Appellant.
National Herkimer County Bank of Little Falls, N. Y.

The argument of this cause was continued by Mr. Myron G. Bronner, of counsel for the appellee, and concluded by Mr. Henry J. Cookinham, of counsel for the appellant.

Cedar Rapids Gas Light Co.,
163 vs. Plaintiff in Error,
City of Cedar Rapids et al.

This cause was argued by Mr. James A. Trewin, of counsel for the plaintiff in error, and by Mr. James W. Jamison and Mr. William Chamberlain, of counsel for the defendants in error.

173. J. M. Graham et al. vs. Charles H. Gill. Plaintiffs in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Hilary A. Herbert, Mr. Benjamin Micou and Mr. Richard P. Whiteley, of counsel for the plaintiffs in error, and by Mr. John W. Burton, of counsel for the defendant in error.

176. Lewis P. Wingert, vs. The First National Bank of Hagerstown et al. Appellant. This cause was argued by Mr. Henry F. Wingert, of counsel for the appellant, and by Mr. C. A. Little and Mr George R. Gaither, of counsel for the appellees.

177. George R. Plummer, vs. The United States. Appellant. The argument of this cause was commenced by Mr. George A. King, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Friday March 1st. 1912.

Pursuant to adjournment the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederick Dela Faust, it is ordered that Herman A. Nettebrock and Keith L. Bullitt, Esquires, of Louisville, State of Kentucky; Bernard H. Arnold and Roger B. Wood, Esquires, of New York City, and Clarence Homer Higley, Esquire, of Rockford, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Francis Smick, it is ordered that Arthur S. Barnes, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Scott Ferris, it is ordered that W. C. Reeves, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

186 The Washington Water Power Co., vs. Walter S. Gaskill. Plaintiff in Error, In Error to the Supreme Court of the State of Idaho.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

177 George R. Plummer, vs. The United States. Appellant. The argument of this cause was continued by Mr. George A. King, of counsel for the appellant and by Mr. Frederick De Courcy Faust, of counsel for The United States, and concluded by Mr. George A. King, of counsel for the appellant.

1774

Westinghouse Electric & Manufacturing Co.,
vs. Petitioner.
Wagner Electric Manufacturing Co.,

The argument of this cause was commenced by Mr. Thomas B. Kerr, of counsel for the petitioner, continued by Mr. Melville Church, of counsel for the respondent, and concluded by Mr. Paul Bakewell, of counsel for the petitioner.

Proclamation being made, the Court is adjourned

Monday, March 4th. 1912.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. William S. Hodges, it is ordered that Edward Frank Glover, Esquire, of Richmond, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that Gustave Scholle, Esquire, of St Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Myron A. Folsom, it is ordered that Carroll B. Graves, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Walker, it is ordered that Perry J. Trafford, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Kern, it is ordered that Case Comaway, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of The Merchants' Stock & Grain Co., Frank J. Miner and Patrick A. Stephens,

10. Original. Petitioners.

On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause heretofore issued, and of the argument of counsel thereupon had, It is now here ordered by the Court that a writ of mandamus be, and the same is hereby, awarded as prayed. See Mr. Justice Van De

710 Philadelphia Co., Appellant, vs. Henry L. Stimson, Secretary of War. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes

517 Chester S. Jordan, Plaintiff in Error, vs. The Commonwealth of Massachusetts. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 1st next, after the causes heretofore assigned for that day.

Per Mr. Chief Justice White.

859 The Interstate Commerce Commission, Plaintiff in Error, vs. The United States of America ex rel. Humboldt Steamship Co. On consideration of the motion to advance this cause, It is now here ordered by the

motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 1st next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

569 Butte Mining Co., Plaintiff in Error, vs. Commonwealth of Massachusetts. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied without prejudice to its renewal at the next term.

per Mr. Chief Justice White

772. Fred J. Bliss, Petitioner vs. The Washoe Copper Co. et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice White

167 Thaddeus Davids Co., Petitioner, vs. Cortlandt I. Davids and Walter I. Davids, trading as Davids Manufacturing Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice White.

208 B. Altman & Co., Plaintiff in Error, vs. The United States. — On motion of Mr. Solicitor General Lehmann, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 4 of rule 26.

169 Low Wah Suey and Li A. Sim (Mrs Low Wah Suey), Appellants, vs. Samuel W. Backus, Commissioner, etc. — The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the

arguments by Mr. Solicitor General Lehmann and Mr. Assistant Attorney General Harr, of counsel for the appellee in support of the motion, and by Mr. Lorry M. Bladden, of counsel for the appellants in opposition thereto.

Ex parte: In the matter of Matthias Radin, Original. Petitioner.

Mr. Harry Levor, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus in this cause.

180 James P. McGovern, vs. Plaintiff in Error, The City of New York.

It is ordered by the Court that this cause be, and the same is hereby, continued

181. Juan Martino Gonzalez, vs. Appellant, Leon Ramon Buist et al.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. N. T. Seville and Mr. J. R. F. Savage, of counsel for the appellant. No counsel appeared for the appellee.

183. O. G. Holt, Trustee, etc., vs. Appellant, Crucible Steel Company of America.

Mr. N. H. Nellebroch, of counsel for the appellant, suggested the death of O. G. Holt, Trustee, etc. the appellant in this cause, and moved the Court to make C. W. Johnson, Trustee, etc., the party appellant herein. Whereupon, It is now here ordered by the Court that the said C. W. Johnson, Trustee, etc., be and he is hereby, made the party appellant in this cause.

183. C. W. Johnson, Trustee, etc., vs. Appellant, Crucible Steel Company of America

This cause was argued by Mr. N. H. Nellebroth, of counsel for the appellant, and by Mr. Keith L. Bullitt, of counsel for the appellee.

184. Consumers Co., Limited, vs. Plaintiff in Error, Albert L. Hatch

This cause was argued by Mr. Myron A. Folsom, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Eugene V. Boughton, of counsel for the defendant in error.

185. Benjamin F. Roselle, Plaintiff in Error, vs The Commonwealth of Virginia

The argument of this cause was commenced by Mr. H. W. Walsh, of counsel for the plaintiff in error, continued by Mr. Samuel W. Williams (by special leave) of counsel for the defendant in error, and concluded by Mr. Daniel Harmon, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Tuesday, March 5th, 1912

Pursuant to adjournment, the Court met today at the Capitol.

(Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar, Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.)

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. R. B. Brown, it is ordered that Morton E. Stevens, Esquire, of Fairbanks, Territory of Alaska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Dixon, it is ordered that William B. Rodgers, Esquire, of Anaconda, State of Montana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

by Mr. Lee S. Overman, it is ordered that Thomas C. Guthrie, Esquire, of Charlotte, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jackson H. Ralston, it is ordered that George P. Barse, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. Original. The State of Wyoming, Complainant. vs. The State of Colorado et al. On motion of Mr. Douglas A. Preston of counsel for the complainant. It is ordered by the Court that the demurrer in this cause be, and the same is hereby, assigned for hearing on Tuesday, October 15th next.

187. The Kansas City Southern Railway Co., Plaintiff in Error, vs. J. M. Carl. This cause was argued by Mr. A. B. Browne, of counsel for the plaintiff in error.

No counsel appeared for the defendant in error.

Tuesday, March 5th, 1912, continued.

188. Guarantee Title & Trust Co., Trustee, etc., vs. Title Guaranty & Surety Co. Appellant. This cause was argued by Mr. R. T. M. McCready, of counsel for the appellant, and by Mr. George J. Shaffer, of counsel for the appellee.

189 Alexander D. McKnight, vs. Robert T. Hodge, Sheriff of King County, Washington. Plaintiff in Error. In Error to the Supreme Court of the State of Washington.

This cause having been called for hearing in its regular order, and Mr. Lawrence Maxwell, of counsel for the plaintiff in error, having moved the Court to dismiss the writ of error herein, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

191 & 192. Albert S. Bigelow, vs. Old Dominion Copper Mining & Smelting Co. Plaintiff in Error. The argument of these cases was commenced by Mr. John C. Spooner, of counsel for the plaintiff in error, and continued by Mr. Edward F. McClennen, of counsel for the defendant in error;

Wednesday, March 6th, 1912.

Pursuant to adjournment the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. John D. Works, it is ordered that John W. Stent, Esquire, of Los Angeles, and William J. Carr, Esquire, of Pasadena, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry M. Goldfogle, it is ordered that Jacob John Lazarus, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Wednesday March 6th 1912. continued.

On motion first made to the Court in this behalf by Mr. Alexander Pope Humphrey, it is ordered that Huston Quin, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry D. Clayton, it is ordered that Edwin F. Jones, Esquire, of Tucson, State of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hiram Ralph Burton, it is ordered that Alfred H. Strickland, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Gulf, Colorado & Santa Fe Railway Co.,
Plaintiff in Error,
vs.
W. R. Dennis

203.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. J. W. Terry, Mr. Gardiner Lathrop, Mr. A. H. Culweee, Mr. A. B. Browne, Mr. Alexander Britton and Mr. Evans Browne, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

191 & 192 Albert S. Bigelow, Plaintiff in Error, vs. Old Dominion Copper Mining & Smelting Co. The argument of these cases was continued by Mr. Edward F. McClennen and Mr. Louis D. Brandeis, of counsel for the defendant in error, and concluded by Mr. John C. Spooner, of counsel for the plaintiff in error.

193 Ramon Valdes, Appellant, vs. Central Altagracia, Inc., and Nevers & Callaghan.

196. Central Altagracia, Inc., Appellant, vs. Ramon Valdes and Nevers & Callaghan.

These cases were submitted to the consideration of the Court on the record and printed arguments by Mr. F. Kingsbury Curtis, Mr. Hugo Kohlmann and Mr. Martin Travieso, Jr., of counsel for Valdes, by Mr. N. B. K. Pettingill and Mr. Frederick L. Cornwell, of counsel for Central Altagracia, Inc., and by Mr. Francis H. Dexter, of counsel for Nevers & Callaghan.

161. Lafayette E. Campbell et al., Plaintiffs in Error, vs. The United States of America. This cause was argued by Mr. A. B. Browne, of counsel for the plaintiffs in error, and by Mr. Assistant Attorney General Denison, of counsel for the

1914

Wm. H. Beutler, Administrator, etc.,
vs.
Grand Junction Railway Co., et al.

This cause was submitted to the consideration of the Court on the printed certificate and briefs by Mr James J. Barbour, of counsel for Beutler, and by Mr. George W. Krelzinger, of counsel for the Railway Companies.

175

The Western Union Telegraph Co.,
vs. Appellant,
The City of Richmond

The argument of this cause was commenced by Mr Rush Taggart, of counsel for the appellant, and continued by Mr. H. R. Pollard, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Thursday, March 7th, 1912.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Lee S. Overman, it is ordered that Charles F. Johnson, Esquire, of Waterville, and Frederick Boque, Esquire, of East Machias, State of Maine, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that Sylvan E. Hess, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that Edwin E. Squires, Esquire, of Broken Bow, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. B. Church, it is ordered that Albert N. Medds, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert B. Scott, it is ordered that Arthur R. Wells, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. C. Brome, it is ordered that James B. Sheehan, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Alden Smith, it is ordered

of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Winfred T. Denison, it is ordered that Arthur W. Denison, Esquire, of Newton, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rush Taggart, it is ordered that John C. Thomson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

205

Caroline Leslie Carter Payne, also known as Mrs. Leslie Carter, Plaintiff in Error. vs. Anlesis E. Herman

In Error to the City Court of the City of New York, State of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the

211. Moneyweight Scale Co., Plaintiff in Error, vs. Felix C. McBride. In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause having been called for hearing in its regular order, and it appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

193. The Western Union Telegraph Company, Appellant, vs. The City of Richmond. The argument of this cause was commenced by Mr. H. R. Pollard, of counsel for the appellee, and concluded by Mr. Rush Taggart, of counsel for the appellant.

197 & 76. City of Louisville, Appellant, vs. Cumberland Telephone & Telegraph Co. The argument of these cases was commenced by Mr. Clayton B. Blakey, of counsel for the appellant, and continued by Mr. William L. Granbery, of counsel for the appellee.

Friday, March 8th. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices.
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann it is ordered that William H. Thompson, Esquire, of Garden City, State of Kansas; Paul Brown, Esquire, of Chicago, State of Illinois, and Henry G. Herbel, Esquire, of St. Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis B. James, it is ordered that Henry G. Frost, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney

accordingly.

On motion first made to the Court in this behalf by Mr. Edwin F. Jones, it is ordered that W. J. Galbraith, Esquire, of Tucson, State of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. E. Burton, it is ordered that Frank B. Evarts and Glen A. Boone, Esquires, of Cleveland, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

City of Louisville,
197 & 761. vs. Appellant,
Cumberland Telephone
& Telegraph Co.

The argument of these causes was continued by Mr. Alexander Pope Humphrey, of counsel for the appellee, and Mr Clayton B. Blakey, of counsel for the appellant, and concluded by Mr. Huston Quin, of counsel for the appellant.

Walter E. Myers, Trustee, &c.,
198. vs. Plaintiff in Error.
A. Samuels et al.

The argument of this cause was commenced by Mr John G. White, of counsel for the plaintiff in error. The Court declined to hear further argument.

Chicago, Burlington & Quincy Railway Co., Plaintiff in Error,
vs.
N. Fred Miller
No. 199.

Chicago, St. Paul, Minneapolis & Omaha Railway Co., Petitioner,
vs.
Bud R. Latta.
No. 523.

The argument of these cases was commenced by Mr. Arthur R. Wells, of counsel for the plaintiff in error in No. 199, and continued by Mr. James B. Sheean, of counsel for the petitioner in No. 523, and Mr. Edwin E. Squires, of counsel for the defendant in error in No. 199.

Proclamation being made, the Court is adjourned

Monday, March 11th, 1912.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. R. Ross Perry, it is ordered that Henry B. F. Macfarland, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Ferguson, it is ordered that Max Leon, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James K. Jones, it is ordered that William V. Tompkins, Esquire, of Prescott, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that John R. Nicholson, Esquire, of Wilmington, State of Delaware, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

1148 Henry C. Ripley. vs. The United States. — Appellant. — Appeals from the Court of Claims.

1149 The United States. vs. Henry C. Ripley. — Appellant.

This cause came on to be heard on the transcript of the record from the Court of Claims on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, modified by reducing the amount to be recovered by the claimant to the sum of $11,908.90, with interest as

and, as so modified, be, and the same is hereby, affirmed.

Per Mr. Justice Lamar.

66. The United States on the relation of Mary E. Ness, vs. Walter L. Fisher, Secretary of the Interior. Plaintiff in Error. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Van Devanter.

45. Jang Jun and Leung Kum Wui, vs. Harry Edsell, Chinese Inspector at the Port of Sumas, Washington, for the United States Government. Petitioners. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit

was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Washington.

Per Mr. Justice Hughes.

Sidney Henry et al., vs. A. B. Dick Company. On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

20

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice Lurton.

Dissenting:
Mr. Chief Justice White
Mr. Justice Hughes
Mr. Justice Lamar.
(Mr. Justice Day did not hear the argument of

163 Cedar Rapids Gas Light Co., Plaintiff in Error, vs. The City of Cedar Rapids, George S. Leighner, Mayor, et al. — In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

176. Lewis P. Wenigert, Appellant, vs. The First National Bank of Hagerstown, et al. — Appeal from the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Justice Holmes.

178. Charles Clason, Appellant, vs. Nick Matko, Dan Leffer, John Lofizich, J. Krilanovich and Louis Visalia. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona.

Per Mr. Justice McKenna.

179. J. M. Graham and B. F. Hampton, Plaintiffs in Error, vs. Charles N. Gill. In Error to the Supreme Court of the State of Florida.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Walter E. Myers, Trustee in Bankruptcy of Jacob Protter,
198. vs. Plaintiff in Error,
A. Samuels, S. S. Samuels, Adolph Eisenberg et al

In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

Ex parte: In the matter of Matthias Radin,
— Original. Petitioner.

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Lowe Wah Suey et al.,
819 vs. Appellants,
Samuel W. Backus, Commissioner of Immigration, etc.

It is ordered by the Court that this cause be, and the same is hereby, placed on the summary docket

11	A. Sandoval et al., Appellants, vs. Epes Randolph Roger Sherman, Successor, etc., et al.,	It is ordered by the Court that the mandates in these cases be directed to the Supreme Court of the State of Arizona, per Mr. Chief Justice White.
23	Appellants, vs. Libbie Goodwin J. R. Treat, Treasurer, etc. et al.,	
86	Appellants, vs. Grand Canyon Railway Co The Cienequita Copper Co.,	
126	Appellant, vs. Thomas Furish, Jr., et ux.	

Order.

It is ordered by the Court that the cases heretofore placed on the summary docket be, and the same are hereby, assigned for hearing on Monday, April 29th next.

Per Mr. Chief Justice White

The Chief Justice announced that the Court will take a recess from Monday, the 18th instant, to Monday, April 1, next.

716	The Atchison, Topeka & Santa Fe Railway Co., Plaintiff in Error, vs. The United States.	The motion to dismiss in this cause was submitted to the consideration

record and printed arguments by Mr. Solicitor General Lehmann, Mr. Assistant Attorney General Thompson and Mr P. M. Cox, of counsel for the defendant in error in support of the motion, and by Mr. Robert Dunlap and Mr. Gardiner Lathrop of counsel for the plaintiff in error in opposition thereto.

875. William E. Breuse et al., vs. The United States. Mr. Solicitor General Lehmann, of counsel for The United States, submitted to the consideration of the Court a motion to advance this cause, and leave was granted Mr. John G. Capers to file a brief in opposition thereto on or before Friday next.

636. Adams Express Co., Plaintiff in Error, vs. Abe Davidson, trading as Davidson & Co. Mr. John Lewis Evans, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

640. The National Telephone Manufacturing Co., Plaintiff in Error, vs. The American Bell Telephone Co. Mr. Barry Mohun, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance

424 Perfecto Dimayuila and Buenaventura Dimayuila, vs. Appellants. The International Banking Corporation et al. Appeal from the Supreme Court of the Philippine Islands.

It appearing to the Court that a motion of counsel for the appellants to dismiss this appeal has been filed, Therefore, in pursuance of said motion it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

972 Warren Ozro Kyle et al., vs. Appellants, John C. Hammond et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Hollis R. Bailey, of counsel for the appellees, in support of the motion, and by Mr. Warren Ozro Kyle, of counsel for the appellants in opposition thereto

197.	Chicago, Burlington & Quincy Railway Co., vs. H. Fred Miller.	The argument of these cases was continued by Mr. N. C. Brome, of counsel for the respondent in No. 523, by Mr. J. B. Sheean, of counsel for the petitioner in No. 523, and concluded by Mr. R. B. Scott, of counsel for the plaintiff in error in No. 197.
523.	Chicago, Minneapolis & Omaha Railway Co., vs. Petitioner. Bud R. Lulla.	
204.	J. L. Murphy, vs. The People of the State of California	This cause was argued by Mr. Alfred S. Austrian, of counsel for the plaintiff in error, and by Mr. John E. Carson, of counsel for the defendant in error.
206.	Henry Brinkmeier, vs. The Missouri Pacific Railway Co.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. V. Ferguson, of counsel for the plaintiff in error, and by Mr. B. P. Waggener, Mr. Charles E. Benton and Mr. David Smyth, of counsel for the defendant in error.

The World's Fair Mining Co., Plaintiff in Error,
vs.
Frank Powers and Josephine Powers.

The argument of this cause was commenced by Mr. Frank H. Hereford, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Tuesday, March 12th, 1912.

Pursuant to adjournment the Court met today at the Capitol:

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Max Levy it is ordered that John Randolph Schindel, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Charles B. Stuart, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Earl Ambrose, it is ordered that D. J. Driscoll, Esquire, of St. Marys, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Alfred Sutro, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

396. C. R. Sharpe et al., vs. Appellants, E. W. Bonham et al. On motion of Mr. Clifford B. Church, in behalf of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby advanced under the 32 rule, and the cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John M. Gaut, of counsel for the appellants, and by Mr. W. C. Caldwell, of counsel for the appellee.

207 The World's Fair Mining Co., vs. Plaintiff in Error, Frank Powers and Josephine Powers. The argument of this cause was continued by Mr. Frank

of counsel for the plaintiff in error, and by Mr. Eugene S. Ives, of counsel for the defendants in error, and concluded by Mr. Frank H. Hereford, of counsel for the plaintiff in error.

209. The United States. vs. Appellant. Societe Anonyme des Anciens Etablissements Cail.

210. Societe Anonyme des Anciens Etablissements Cail. vs. Appellant. The United States.

The argument of this cause was commenced by Mr. Philip Mauro, of counsel for Societe Anonyme des Anciens Etablissements Cail, and continued by Mr. T. D. Merwin, of counsel for Societe Anonyme des Anciens Etablissements Cail, and by Mr. Assistant Attorney General Thompson, of counsel for the United States.

(Proclamation being made, the Court is adjourned

Wednesday, March 13th. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day. Associate
Horace H. Lurton Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar.
John M. Wright. Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Nelson Phillips, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Winfred T. Denison, it is ordered that John E. Semmes, Jr., Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

309 The United States. vs. Appellant. Sociele Anonyme des Anciens Etablissements Cail.

310 Sociele Anonyme des Anciens Etablissements Cail. vs. Appellant. The United States.

The argument of this case was continued by Mr. Assistant Attorney General Thompson and Mr. Malcolm A. Coles, of counsel for The United States, and concluded by Mr. Philip Mauro, of counsel for Sociele Anonyme des Anciens Etablissements Cail

313 Adams Express Co., vs. Plaintiff in Error. E H. Croninger.

This cause was argued by Mr. Lawrence Maxwell, of counsel for the plaintiff in error, and by Mr John Randolph Schindel, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Thursday, March 14th, 1912.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Wilton J. Lambert, it is ordered that Rudolph H. Upatman, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clarence F. Eldredge, it is ordered that John H. Blanchard, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this be-

by Mr. C. D. Clark, it is ordered that James A. O'Gorman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank N. Hereford, it is ordered that Edwin A. Meserve, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Hagon John, Guardian &c.,
206. vs. Plaintiff in Error.
Lewis Paullin et al.

On motion of Mr. E. F. Colladay in that behalf, leave is hereby granted him to withdraw his appearance in this cause as counsel for the plaintiff in error

J. W. Calnan Co.,
212. vs. Appellant.
Henry A. Doherty et al

The argument of this cause was commenced by Mr. Clarence F. Eldredge, of counsel for the appellant. The Court declined to hear further argument.

Rachel B. Brown.
214. vs. Plaintiff in Error.
Thomas C. Selfridge.

This cause was argued by Mr. Willon J. Lambert, of counsel for the plaintiff

for the defendant in error.

215. The City of Pomona et al., Appellants, vs. Sunset Telephone & Telegraph Company.

The argument of this cause was commenced by Mr. John W. Shenk, of counsel for the appellants, and continued by Mr. Alfred Sutro of counsel for the appellee, and Mr. William J. Carr, of counsel for the appellants.

Proclamation being made, the Court is adjourned until tomorrow at ten o'clock a.m.

Friday, March 15th. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D White, Chief Justice.
Joseph M Kenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that F.W. Root, Esquire, of Minneapolis and Samuel Lord, Esquire, of St Paul, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C.D. Clark, it is ordered that Charles H. Rutherford, Esquire, of Jerome, State of Arizona, and Paul D. Carpenter, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court,

215. The City of Pomona et al., vs. Appellants, Sunset Telephone & Telegraph Company. Appellants.

The argument of this cause was concluded by Mr. Wm. J. Carr of counsel for the

216 In the matter of the petition of N. H. Loring, Trustee.

This cause was submitted to the consideration of the Court on a certificate and printed arguments by Mr. James Denis Mocquot, of counsel for Loring, Trustee and by Mr. W. F. Bradshaw, Jr., of counsel for American-German National Bank.

217 Charles Swanson, vs. Plaintiff in Error, John T. Sears et al.

This cause was argued by Mr. John M. Zane, of counsel for the plaintiff in error, and by Mr. Frank Reeves, of counsel for the defendants in error.

139 Louis Zeckendorf, vs. Appellant, Albert Steinfeld et al.

140 Albert Steinfeld et al., vs. Appellants, Louis Zeckendorf et al

The argument of these cases was commenced by Mr. Frank H. Hereford, of counsel for Zeckendorf, continued by Mr. Eugene S. Ives, of counsel for Steinfeld et

Friday. March 15th, 1912. continued

of counsel for Zeckendorf.

Proclamation being made, the Court is adjourned

Monday. March 18th. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

The Chief Justice said:

"Gentlemen of the Bar, it is my privilege to announce that the President of the United States has filled the vacancy on this Bench by the appointment of Mr. Mahlon Pitney of New Jersey. Mr. Pitney is present, and ready to take the oath of office. The clerk will read his commission."

The commission was then read and the oath administered by the clerk, which commission and oath are as follows, to wit:

William Howard Taft

President of the United States of America

Know Ye: That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Mahlon Pitney, of New Jersey, I have nominated, and by and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the United States, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Mahlon Pitney, during his good behavior.

In testimony whereof, I have caused these letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Given under my hand, at the City of Washington, the thirteenth day of March in the year of our Lord one thousand nine hundred and twelve, and of the Independence of the United States of America the one hundred and thirty-sixth

(Seal)

(Signed) Wm. H. Taft

By the President:
(Signed) Geo. W. Wickersham.

Supreme Court of the United States.
October Term, 1911.

I, Mahlon Pitney, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God.

Mahlon Pitney.

Subscribed and sworn to
before me this 18th day
of March, A. D. 1912

James H. McKenney,
Clerk of the Supreme Court
of the United States.

Seal

On motion first made to the Court in this behalf by Mr. Jackson H. Ralston, it is ordered that Charles G. Baldwin and G. Ridgely Sappington, Esquires, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that

District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. V. Cushman, it is ordered that Henry Waldo Greenough, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paca Oberlin, it is ordered that Joseph Salomon, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr William N. Robeson, it is ordered that J. N. McLean, Esquire, of Leana, State of Texas be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Lafayette E. Campbell,
Byron E. Shear and
Albert E. Reynolds,
Plaintiffs in Error,
vs.
The United States of America

In Error to the United States Circuit Court of Appeals for the Eighth Circuit

No. 161

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed; and that the judgment of the District Court of the United States for the District of Colorado be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said District Court.

Per Mr. Justice Van Devanter

San Juan Light & Transit Co.,
Plaintiff in Error,
vs.
Belen Requena.

In Error to the District Court of the United States for Porto Rico.

No. 11

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and

interest until paid at the same rate per annum that similar judgments bear in the courts of Porto Rico.

Per Mr. Justice Van Devanter.

Otto N. Butler, Administrator of the estate of John Tyler, deceased

vs.

Grand Trunk Junction Railway Co., Grand Trunk Western Railway Co., and Grand Trunk Railway Co.

On a certificate from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals from the Seventh Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the questions certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Holmes.

171. Cassius B. Thomas, William D. Eddy and Edgar D. Starbuck, Plaintiffs in Error, vs. William C. Taylor. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

Order.

The Reporter having represented that owing to the number of decisions at the present term, it would be impracticable to put the Reports in one volume,

It is, therefore, now here ordered that he publish an additional volume in this year, pursuant to Section 226 of the Act entitled "An Act to codify, revise and amend the laws relating to the Judiciary" approved March 3, 1911.

Per Mr. Chief Justice White.

Order.

There having been an Associate Justice of this Court appointed since the commencement of this Term,

It ordered that the following allotment be made of the Chief Justice and Associate Justices of this Court among the Circuits agreeably to the Act of Congress in such case made and provided, and that such allotment be entered of record, viz:

For the First Circuit, Oliver Wendell Holmes Asso. Justice.
For the Second Circuit, Charles E. Hughes Associate Justice
For the Third Circuit, Mahlon Pitney, Associate Justice
For the Fourth Circuit, Edward D. White, Chief Justice.
For the Fifth Circuit, Joseph R. Lamar, Associate Justice
For the Sixth Circuit, William R. Day, Associate Justice
For the Seventh Circuit, Horace H. Lurton, Associate Justice
For the Eighth Circuit, Willis Van Devanter, Associate Justice
For the Ninth Circuit, Joseph M Kenna, Associate Justice

per Mr. Chief Justice White

3. Original

Commonwealth of Virginia, Complainant.
vs.
State of West Virginia

On consideration of the application of the Special Master heretofore appointed in this cause, It is now here ordered by the Court that the parties to this cause show cause before this Court on Monday, April 8th next, why the petition of the Special Master that the amount of his compensation as fixed by this Court be advanced and paid

Adams Express Co.,
vs. Plaintiff in Error.
Abe Davidson, trading as
Davidson & Son.

6 2 8

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

The National Telephone
Manufacturing Co.,
vs. Plaintiff in Error.
The American Bell Tele-
phone Co.

6 4 8

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

William E. Breese and
Joseph E. Dickerson,
vs.
The United States.

8 7 8

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 15th next, after the case heretofore assigned for that day.

Per Mr. Chief Justice White.

The Atchison, Topeka & Santa Fe Railway Co.		It is ordered by the Court that this cause be placed on the summary docket,
116.	vs. Plaintiff in Error.	
The United States.		

and assigned for argument on Monday, April 29th next.

Per Mr. Chief Justice White

Benjamin F. Roselle,		In Error to the Supreme Court of Appeals of the State of Virginia
183.	vs. Plaintiff in Error.	
The Commonwealth of Virginia		

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White

Warren Ozro Kyle and William B. H. Dowse, Assignees in Bankruptcy of Elbridge L. Sweetser, Bankrupt.

1772. vs. Appellants. Appeal from the United States Circuit Court of Appeals for the First Circuit.

John C. Hammond et al.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice White

Frank W. Brown,

201 vs. Appellant,

C. T. Elliott, United States Marshal, etc., et al.

E. C. Moore,

202. vs. Appellant.

C. T. Elliott, United States Marshal etc. et al

Mr. Solicitor General Lehmann, of counsel for the United States submitted to the consideration of the Court a motion to assign these cases for rehearing.

Frederick A. Hyde et al., Petitioners.
vs.
The United States.

Mr. Solicitor General Lehmann, of counsel for The United States, submitted to the consideration of the Court a motion to assign this cause for rehearing.

Roswell E. Messinger, Petitioner
vs.
Peter Anderson

On motion of Mr. Harry E. King, of counsel for the petitioner, leave is hereby granted to submit memorandum concerning recent decision by the Supreme Court of Ohio

Henry C. Ripley, Appellant,
vs.
The United States
The United States, Appellant.
vs.
Henry C. Ripley

The motion to modify the judgment in this cause was submitted to the consideration of the Court on printed arguments by Mr. William N. Robeson, Mr. Benn Carter and Mr. F. Carter Pope of counsel for Ripley, and leave was granted Mr. Solicitor General Lehmann to file brief in opposition thereto on or before Friday next, and to the other side to reply thereto, if so advised, within two days.

1024 Edward B. Goodman & Co., et al., Petitioners. vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles J. Kappler, Mr. Charles H. Merillat and Mr. Joseph S. Kammerlohr, in support of the same, and leave was granted Mr Solicitor General Lehmann to file a brief in opposition thereto tomorrow.

1020. Clarence Dayton Hillman. Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Wade H. Ellis, Mr. J. V. Bevington, and Mr. Abner H. Ferguson in support of the same, and Mr. Solicitor General Lehmann in opposition thereto.

91. San Juan Light & Transit Co., Plaintiff in Error, vs. Belen Requena. Mr. George H. Lamar, of counsel for the defendant in error, submitted to the consideration of the Court a motion that the mandate in this cause issue at once.

215. Jessie E. Thompson, Appellant, vs. Charles M. Thompson. Mr. W. M. Lewin, of counsel for the appellant, submitted to the consideration of the Court a motion to dispense with reprinting a portion of the record in this cause.

Missouri Pacific Railway Co., Plaintiff in Error, vs. Alonzo C. Lessenden. The motion to dismiss or affirm or place this cause on the summary docket was submitted to the consideration of the Court on printed arguments by Mr. W. T. Guthrie, of counsel for the defendant in error in support of the motion, and by Mr. Marten L. Clardy, of counsel for the plaintiff in error in opposition thereto.

Proclamation being made, the Court is adjourned

Monday April 1st 1912.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Frank Y. Gladney, Esquire, of St. Louis, State of Missouri; Walter Mc. Elreath, Esquire, of Atlanta, State of Georgia, and George E. Cruse, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elliott W. Mayor, it is ordered that John M. Dawson, Esquire, of Jefferson City,

State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that John J. King, Esquire, of Texarkana, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James S. Davenport, it is ordered that Rhoads S. Cobb and John W. Willmott, Esquires, of Wewoka, and Thomas N. Owen, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Bunn, it is ordered that George W. Severs, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas N. Hoyell, it is ordered that William D. Turner, Esquire, of Cleveland, State of Ohio, be admitted to practice as an

was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward W. Hines, it is ordered that James Garnett, Esquire, of Columbia, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter D. Davidge, it is ordered that Alexander Preston, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elbert N. Hubbard, it is ordered Samuel John Morrow, Esquire, of Uniontown, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nicholas P. Bond, it is ordered that Edward Duffy, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. T. Denison, it is ordered that John Lord O'Brian, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. P. Kinkaid, it is ordered that Jay E. Williams, Esquire, of Bridgeport, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gardiner Lathrop, it is ordered that R. A. Brown, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Hagerman, it is ordered that Fred N. Wood, Esquire, of St. Louis, and John G. Schaich, Esquire, of Kansas City, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf

that Julien T. Davies, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. O'Gorman, it is ordered that Francis V. S. Oliver, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Judson Harmon, it is ordered that J. D. Post, Esquire, of Washington C. H., Allee Pomerene, Esquire, of Canton, and J. Henry Goeke, Esquire, of Wapakoneta, State of Ohio; Joseph R. W. Cooper, Esquire, of Chicago, State of Illinois, and Frank E. Dorlmus, Esquire of Detroit, State of Michigan, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that W. W. Nelms, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

47 Standard Oil Co. of Indiana, Plaintiff in Error, vs. The State of Missouri on the information of Herbert S. Hadley, Attorney General, succeeded by Elliott W. Major, et al. — In Error to the Supreme Court of the State of Missouri.

48 Republic Oil Co., Plaintiff in Error, vs. The State of Missouri on the information of Herbert S. Hadley, Attorney General, succeeded by Elliott W. Major, et al.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri on separate writs of error, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

206 Henry Brinkmeier, Plaintiff in Error, vs. Missouri Pacific Railway Co. — In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by coun-

ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Van Devanter.

C. W. Johnson, Trustee in Bankruptcy of Davis, Kelly & Co., Appellant, vs. Crucible Steel Co. of America. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Kentucky

Per Mr. Justice Van Devanter

Theodore R. Converse,
Receiver of the Minnesota
Thresher Manufacturing Co.;
vs. Plaintiff in Error.
42. Caroline A. Hamilton

In Error to the Supreme Court of the State of Wisconsin

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Van Devanter

Theodore R. Converse,
Receiver of the Minnesota
Thresher Manufacturing Co.
vs. Plaintiff in Error.
43. Geneva S. McCauley

In Error to the Supreme Court of the State of Wisconsin

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment

the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Van Devanter.

346. C. R. Sharpe et al., Appellants, vs. E. W. Benham et al. Appeal from the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Middle District of Tennessee for further proceedings.

Per Mr. Justice Hughes.

40. Alexander D. Johnson, Elise Thomas Berry, Louise Y. B. Duvall, Imogene Berry Tubman et al., Appellants, vs. The Washington Loan & Trust Co. Appeal from the Court of Appeals of the District of Columbia.

of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes.

P. E. Keetman and Robert L. Owen, Appellants, v. The United States. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

No. 196

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with the modification that the cause shall proceed in conformity with the opinion of this Court; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Oklahoma.

Per Mr. Justice Hughes.

(Mr. Justice Lurton dissents on the question of jurisdiction, but not on the merits.)

The Interstate Commerce Commission and The United States, Appellants, vs. Goodrich Transit Co. } 579. Appeal from the United States Commerce Court

This cause came on to be heard on the transcript of the record from the United States Commerce Court and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said United States Commerce Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Day.

Dissenting:
Mr. Justice Lurton
Mr. Justice Lamar

The Interstate Commerce Commission and The United States, Appellants, vs. Goodrich Transit Co. } 580. Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce

sideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said United States Commerce Court for further proceedings in conformity with the opinion of this Court

Per Mr. Justice Day.

Dissenting
Mr. Justice Lurton
Mr. Justice Lamar.

881. The United States and The Interstate Commerce Commission, vs. White Star Line, Appellants. Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said United States Commerce Court for further proceedings in conformity with the opinion of this Court

Dissenting:
Mr. Justice Lurton
Mr. Justice Lamar

The United States and
The Interstate Commerce
Commission,
812. vs. Appellants,
White Star Line

Appeal from the
United States
Commerce Court

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Commerce Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby remanded to the said United States Commerce Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Day.

Dissenting:
Mr. Justice Lurton
Mr Justice Lamar.

Charles N. Haskell, Charles
West, John J. Shea et al.,
911 vs. Appellants,
The Kansas Natural Gas Co.,
The Marnet Mining Co. and
A. W. Lewis.

Appeal from the
Circuit Court of
the United States
for the Eastern
District of Oklahoma.

This cause came on to be heard on the transcript

United States for the Eastern District of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Oklahoma.

Per Mr. Justice Day.

211. Rachel B. Brown, Plaintiff in Error, vs. Thomas C. McJudge — In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

216. In the matter of the petition of N. N. Loving, Trustee. — On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on a certificate

for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, it is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice Day.

The Western Union Telegraph Co., Appellant. vs. The City of Richmond

Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

195

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Virginia.

per Mr. Justice Holmes.

207. The Worlds Fair Mining Company, Plaintiff in Error, vs. Frank Powers and Josephine Powers. In Error to the Supreme Court of Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona.

Per Mr. Justice Holmes.

217. Charles Swanson, Plaintiff in Error, vs. John T. Scare and Nancy M. Keller. In Error to the Supreme Court of the State of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Guarantee Title & Trust Co., Trustee in Bankruptcy of Pittsburgh Industrial Iron Works, Bankrupt, Appellant
vs.
Title Guaranty & Surety Co. — Appeal from the United States Circuit Court of Appeals for the Third Circuit.

151.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Pennsylvania.

per Mr. Justice McKenna.

J. W. Calnan Co., Appellant
vs.
Henry A. Doherty, Massachusetts Breweries Co., and Mechanics Trust Co. — Appeal from the United States Circuit Court of Appeals for the First Circuit.

212.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel. On consideration whereof, It is now

Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

Spencer S. Wood, Appellant, vs. The United States. Appeal from the Court of Claims. 71.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice White.

Juan Martino Gonzales, Appellant, vs. Leon Ramos Buist, Antonio Ramos Buist, and Jesus Ramos Buist, et al. Appeal from the District Court of the United States for Porto Rico. 151.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court, in this cause be, and the same is hereby, affirmed with

184. Consumers Company, Limited, Plaintiff in Error, vs. Albert L. Hatch. In Error to the Supreme Court of the State of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White.

177. George R. Plummer, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with a direction to enter judgment in favor of the claimant for $4,213.86.

Per Mr. Chief Justice White.

Minnie Schodde, Executrix of the last will and testament of Henry Schodde, deceased, Petitioner
2. vs.
Twin Falls Land & Water Co.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Idaho.

Per Mr. Chief Justice White

Order.

It is ordered that Rule 21 of the rules of practice of this Court be amended by adding thereto the following section:

8. Every brief of more than twenty pages shall contain on its front fly leaves a subject index with page references, the subject index to be supplemented by a list of all cases referred to, alphabetically arranged, together with reference to pages where the cases are cited.

Per Mr. Chief Justice White

American Security &
Trust Co. et al.,
vs.
The Commissioners of
the District of Columbia.

Applica
been m
Chief Ju
a writ o
above ca
of Appea

trict of Columbia, and the said appl
ving been referred by the Chief Justic
for its action in virtue of said refere
now ordered that the parties to said
be allowed to file briefs on or before
next on the single question whether
has jurisdiction to review the decree
ment of the Court of Appeals of the D
Columbia on writ of error.

Per Mr. Chief

The Washington Home
for Incurables,
vs
The American Security
& Trust Co. et al.
Benjamin L. Vermillion
vs.
Baltimore & Ohio Railroad Co.

Applica
been mad
Justice t
appeal, i
of the above
the Court
of the D
Columbi
writ of er

second of the said cases to the same Court,
said applications having been referre
Chief Justice to the Court for its action
of said reference, It is now ordered th
ties to said applications be allowed

briefs on or before April 15th next, on the single question whether this Court has jurisdiction to review the decree and judgment of the Court of Appeals of the District of Columbia on appeal and writ of error.

Per Mr. Chief Justice White

201 Frank W. Brown, Appellant, vs. C. T. Elliott, U. S. Marshal, etc., et al.
202 E. C. Moore, Appellant, vs. C. T. Elliott, U. S. Marshal, etc., et al.
447 Frederick A. Hyde et al., Petitioners, vs. The United States.

On consideration of the motion to fix a day for the re argument of these causes, It is now here ordered by the Court that said causes be, and the same are hereby assigned for re argument on Monday, April 29th next, after the causes heretofore assigned for that day.

Per Mr. Chief Justice White

165 Pennsylvania Railroad Co., Plaintiff in Error, vs. International Coal Mining Co.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re argument before a full bench.

Per Mr. Chief Justice White

1198. Henry C. Ripley, Appellant. vs. The United States
1199. The United States, Appellant. vs. Henry C. Ripley.

On consideration the motion to the judgment of Court in these and of the argu of counsel there had, as well in favor of as against the same It is now here by the Court that the said motion be, and the same is hereby, denied

Per Mr. Chief Justice

78. San Juan Light & Transit Co., Plaintiff in Error. vs. Belen Reginero.

On consider tion of the m tion that the mandate in this case issue at once, It is now here ordered the Court that the said motion be, and the sa is hereby, granted.

Per Mr. Chief Justice

265. Jessie E Thompson, Appellant. vs. Charles M. Thompson.

On consideration of the motion to dispense with the reprinting of a p of the transcript of the record in this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice

1020. Clarence Dayton Hillman, Petitioner. vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied

per Mr. Chief Justice White.

1024. Edward B. Goodman & Co., et al., Petitioners. vs. The United States. On petition for writ of certiorari to the United States Court of Customs Appeals.

On consideration of the petition for a writ of certiorari herein to the United States Court of Customs Appeals, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr Chief Justice White.

484. Standard Sanitary Manufacturing Co., et al., Appellants, vs. The United States of America.

Mr. Solicitor General Lehmann, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

1063 Interstate Commerce Commission et al., Appellants, vs. Louisville & Nashville Railroad Co.

Mr. Solicitor General Lehmann, of counsel for the appellants submitted to the consideration of the Court a motion to advance this cause.

599. George T. Simpson, et al., Appellants, vs. David C. Shepard

600 George T. Simpson et al., Appellants, vs. Emma B. Kennedy et al., Executors, etc., et al.

601. George T. Simpson et al., Appellants, vs. William Shillaber

On motion of Mr. C. Thorne in that behalf leave is hereby granted him to file a brief in these cases as amicus curiae. The motion for leave to make oral argument herein is denied.

1037 National Equipment Co., Petitioner vs. George C. Holt, U. S. District Judge, etc.

1038 James C. Kuhn, Petitioner, vs. George C. Holt, U. S. District Judge, etc.

1039 Powell's, a corporation, Petitioner, vs. George C. Holt, U. S. District Judge, etc.

1040. James A. McClurg & Sons, Petitioner vs. George C. Holt, U. S. District Judge, etc.

The petition for a writ of certiorari in these cases was submitted to the consideration of the Court on printed arguments by Mr. Livingston Gifford in support of the same, and Mr. Ferdinand E. M. Bullowa in opposition thereto.

1041. A. Leo Everett, Trustee, &c., Petitioner vs. William D. Judson, Executor, etc.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles J. Murphy in behalf of Mr. Charles K. Beekman in support of the same, and by Mr. William A. Keener in opposition thereto.

876 Piza Hermanos, S. en C.
vs. Appellants.
Ricardo A. Gandia Caldeley.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. N. N. Glassie in behalf of Mr. Charles F. Carusi, of counsel for the appellee in support of the motion, and by Mr. Frederic R. Coudert, of counsel for the appellants in opposition thereto.

874 Joseph D. Sullivan, Trustee, etc.,
vs. Appellant.
Aaron Goldman.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. Holdsworth Gordon in behalf of Mr. Henry E. Davis and Mr. Alexander Wolf, of counsel for the appellee in support of the motion, and by Mr. Joseph D. Sullivan and Mr. L. P. Loving, of counsel for the appellant in opposition thereto.

1011 Frank T. Wells, Petitioner, vs. The United States.
1012 Rufus J. Ireland, Petitioner, vs. The United States.
1013 Wilberforce Sully, Petitioner, vs. The United States.
1014 George W. Dally, Petitioner, vs. The United States.

The petition for writs of certiorari herein was submitted to the consideration of the Court by

Mr. Evans Browne in behalf of Mr John C. Spooner and Mr. Joseph P. Cotton Jr., in support of the same.

Walter B. Lawrence, etc., Appellant,
vs.
The Southern Pacific Co., et al.

231

Mr. Francis V. S. Oliver, Jr, of counsel for the appellant, suggested the death of Walter B. Lawrence, the appellant in this cause, and moved the Court to make Henry L. Bogert, Townsend Lawrence and Anila Lawrence, Executors of the last will and testament of the said Walter B. Lawrence, deceased, the parties appellants herein. Whereupon It is now here ordered by the Court that the said Henry L. Bogert, Townsend Lawrence and Anila Lawrence, Executors of the last will and testament of Walter B. Lawrence, deceased, be, and they are hereby, made the parties appellants in this cause.

Atlantic Transport Co., of W. Va.,
vs. Petitioner.
Frank Imbrovek.

1028

Atlantic Transport Co. of W. Va.
vs. Petitioner.
State of Maryland, to the use etc.

1029

The petition for writs of certiorari in these cases were submitted to the consideration of the Court on printed arguments by Mr. Nicholas P. Bond in support

in opposition thereto.

St. Louis Southwestern Railway Co., Petitioner, vs. Lowden Brothers, 1018. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr Roy T. Britton, Mr. E. V. Perkins and Mr. S. H. West in support of the same.

The Mayor and City Council of Baltimore, Petitioners. vs. Andrew Miller et al. 1064 The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Alexander Preston, and Mr. S. H. Lauchheimer in support of the same.

T. J. Darnell, Incorporated, Plaintiff in Error, vs. Illinois Central Railroad Co. et al 85 The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Victor A. Wallace in behalf of by Charles N. Burch, and Mr. Blewett Lee, of counsel for the defendants in error in support of the motion, and by Mr. W. A. Percy, of counsel for the plaintiff in error in opposition thereto.

Arthur Johnson,
vs.
The United States

Mr. Paca Oberlin submitted to the consideration of the Court a motion for leave to docket this cause and to proceed therein in forma pauperis.

1045. Herschel Martin Bacon.
vs. Petitioner,
Buffalo Cold Storage Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick S. Tyler in behalf of Mr. Sam J. Hunter in support of the same, and by Mr. Joseph M. McComick in opposition thereto.

1049. Frederick C. Tiedt,
vs Petitioner.
Atchison, Topeka & Santa Fe Railway Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Fred W. Bentley in support of the same, and Mr. Robert Dunlap and Mr. J. L. Coleman in opposition thereto.

1060. William Seymour.
vs. Petitioner,
A. M. McDaniel.

The petition for a writ of certiorari herein was submitted to the consideration of t

E. Mason in support of the same, and by Mr. Hiram Glass, Mr. John J. King, Mr. W. L. Estes and Mr. A. L. Burford in opposition thereto.

1011 Harrison J. Groom,
vs. Petitioner.
The Mortenier Land Co. et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John W. Yerkes in behalf of Mr. Maurice E. Locke, Mr. Eugene P. Locke and Mr. Eugene Marshall in support of the same, and by Mr. Sam J. Hunter in opposition thereto.

947 Hannah L. Andrews, Executrix, etc.,
vs. Appellant,
Harvey K. Partridge, Trustee.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John D. McMullin of counsel for the appellee and Mr. Henry F. Stockwell in support of the motion, and by Mr. Thomas E. French and Mr. Samuel N. Richards, of counsel for the appellant in opposition thereto.

1016 Samuel Lewis, Petitioner, vs. Oliver Frick, United States Immigration Inspector, etc. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Joseph D. Sullivan in behalf of Mr. Philip T. Van Zile in support of the same, and leave was granted Mr. Solicitor General Lehmann to file a brief in opposition thereto on or before Friday next.

1021. Joseph D. Sullivan, Trustee, etc., Petitioner, vs. Aaron Goldman. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed argument by Mr. Joseph D. Sullivan and Mr. L. P. Loving in support of the same, and by Mr. Henry E. Davis and Mr. Alexander Wolf in opposition thereto.

1054 Maria A. Evans, Extx., Petr. vs. Knickerbocker Trust Co.
1055 Stephen M. Weld, Petitioner, vs. Knickerbocker Trust Co.
1056 Theophilus Parsons, Petr., vs. Knickerbocker Trust Co.
1057 Albert S. Bigelow, Petr., vs. Knickerbocker Trust Co.
1058 William M. Conant, Petr., vs. Knickerbocker Trust Co.
1059 Russell S. Codman, Petr., vs. Knickerbocker Trust Co.

The petitions for writs of certiorari in these cases were submitted to the consideration of the Court on printed arguments by Mr.

and Mr. Burton E. Eames in support of the same, and by Mr. Julien T. Davies and Mr. John G. Milburn in opposition thereto.

Herndon-Carter Co.,
vs. Appellant.
James N. Norris, Son & Co.

On motion of Mr. Henry L. Stone, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, advanced under the 32 rule, and the cause was submitted to the consideration of the Court by Mr. Helm Bruce, of counsel for the appellant, and by Mr. John N. Chandler and Mr. William B. Fleming, of counsel for the appellee.

Louisville & Nashville Railroad Co.,
vs. Appellant.
Adam T. Siler et al., as the Railroad Commission of Kentucky.

Mr. Henry L. Stone, of counsel for the appellant, suggested the resignation of Adam T. Siler and Lew P. Tarleton, and the appointment of Green Garrett and William F. Klair as their successors as members of the Railroad Commission of Kentucky, and moved the Court to make the said Green Garrett and William F. Klair as members of the Railroad Commission of Kentucky, parties appellees in this cause. Whereupon, It is now here ordered by the Court that Green Garrett

and William F. Klair as members of the Railroad Commission of Kentucky, &c, and they are hereby, made parties appellees in this cause.

John A. Knott et al., Railroad and Warehouse Commissioners et al.,
130. vs. Appellants,
Chicago, Burlington & Quincy Railroad Co.
and
other Missouri Rate Cases
and
George T. Simpson et al.,
599. vs. Appellants,
David C. Shepard
and
600 & 601 other Minnesota Rate Cases.

On motion of Mr. Judson Harmon in that behalf, leave is hereby granted him to file a brief in these cases as amicus curiae, and on motion of Mr. Charles West in that behalf leave is also granted him to file a brief in these cases as amicus curiae

John A. Knott et al., Railroad and Warehouse Commissioners et al.,
130 vs. Appellants,
Chicago, Burlington & Quincy Railroad Co.
and
other Missouri Rate Cases.

On motion of Mr. Elliott W. Major, of counsel for the Railroad & Warehouse Commissioners et al. five hours are allowed to each side in the argument of these cases, and three counsel are allowed to be heard for the Railroad and Warehouse Commissioners et al.

The-

by Mr. Frank Hagerman, of counsel for the Railroad Companies

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton } Associate
Charles E. Hughes } Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal,
James H. McKenney, Esquire, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in behalf by Mr. William Alden Smith, it is ordered that Edward J. Moinet, Esquire, of St. Johns, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in behalf by Mr. Gardiner Lathrop, it is ordered that Samuel W. Sawyer, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur L. Bates, it is ordered that W. P. Sturtevant, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanton Warburton, it is ordered that George Dysart, Esquire, of Centralia, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Adee Pomerene, it is ordered that Thomas J. McCormick, Esquire, of Springfield, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Owen, it is ordered that James R. Wood, Esquire, of Coalgate, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of Charley Webb — Original — Petitioner

Mr. J. S. Davenport, of counsel for the petitioner, submitted to the consideration of the court a motion for leave to file a petition for a writ of habeas corpus in this cause.

797. Louis Elie Joseph Henry de Galard, etc., vs. Plaintiff in Error, François de Bearn et al

798 Louis Elie Joseph Henry de Galard, etc., vs. Plaintiff in Error, François de Bearn

799. Louis Elie Joseph Henry de Galard, etc., vs. Plaintiff in Error, Odon de Bearn.

800 Louis Elie Joseph Henry de Galard, etc., vs. Plaintiff in Error, Pierre de Bearn

801. Louis Elie Joseph Henry de Galard, etc., vs. Plaintiff in Error, Jean Baptiste Chaumet.

The motion to dismiss in these cases was submitted to the consideration of the court on the record in case No. 797 and printed arguments by Mr. J. Kemp Bartlett and Mr. Edgar Allan Poe, of counsel for the defendants in error in support of the motion, and by Mr. Maurice Leon, of counsel for the plaintiff in error, in opposition thereto.

127. A. D. Gibbs. vs. International Banking Corporation. Appellant. Appeal from the Supreme Court of the Philippine Islands.

It appearing to the Court that a motion of the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White

28. Commercial State Bank & Trust Co., vs. J. L. Bates, Trustee. Plaintiff in Error, In Error to the Supreme Court of the State of Mississippi.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White

493 Texas & Pacific Railway Co., Plaintiff in Error, vs. B. B. Gauble. In Error to the United States Circuit Court of Appeals for the Fifth Circuit

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

538 Chicago Great Western Railroad Co., Plaintiff in Error, vs. William F. Owens. In Error to the Supreme Court of the State of Minnesota

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed without costs to either party.

Per Mr. Chief Justice White

130. John A. Knott et al., Railroad and Warehouse Commissioners, et al., Appellants, vs. Chicago, Burlington & Quincy Railroad Co. and other Missouri Rate Cases.

The argument of these cases was continued by Mr. Frank Hagerman, of counsel for the Railroad Companies, by Mr. Sanford B. Ladd, of counsel for the Railroad and Warehouse Commissioners et al., and for Mr. Gardiner Lathrop, of counsel for the Railroad Companies.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William G. Conley, it is ordered that Everett F. Moore, Esquire, of Moundsville, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Peirce, it is ordered that Adelbert E. Bolton, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

1198 Henry C. Ripley
vs. Appellant.
The United States.

1199 The United States.
vs. Appellant
Henry C. Ripley.

On motion of Mr. F. Carter Pope, of counsel for Ripley, leave is hereby granted the Clerk to issue the mandate in these cases.

130 John A. Knott et al.,
Railroad and Warehouse Commissioners, et al.,
vs. Appellants,
Chicago, Burlington & Quincy Railroad Co.
and
other Missouri Rate Cases.

The argument of these cases was continued by Mr. Elliott W. Major and Mr. F. W. Lehmann, of counsel for the Railroad and Warehouse Commissioners et al., and concluded by Mr. Frank Hagerman, of counsel for the Railroads.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

507 Louisville & Nashville Railroad Company, Appellant, vs. Green Garrett et al., as The Railroad Commission of Kentucky.

On motion of Mr. Henry L. Stone, of counsel for the appellant, one half hour additional time is allowed to each side in the argument of this cause. The argument of this cause was commenced by Mr. Henry L. Stone, of counsel for the appellant; continued by Mr. Edward W. Hines and Mr. James Garnett, of counsel for the appellees, and concluded by Mr. Albert S. Brandeis, of counsel for the appellant.

Monday, April 8th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M'Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. M'Kenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Edward T. Taylor, it is ordered that Charles D. Todd, Esquire, of Greeley, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward F. Colladay, it is ordered that Eugene Overton, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Jones, it is ordered that S. O. Bland, Esquire, of Newport News, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Seeber Edwards it is ordered that James M. Morton, Jr., Esquire, of Fall River, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Title Guaranty & Surety Co.,
vs. Plaintiff in Error,
William Francis Nichols.

In Error to the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Arizona. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona.

215. The City of Pomona et al., Appellants, vs. Sunset Telephone & Telegraph Company. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California with directions to dismiss the bill without prejudice.

Per Mr. Justice Holmes

209. The United States, Appellant, vs. Société Anonyme des Anciens Etablissements Cail. Appeals from the Court of Claims

216 Société Anonyme des Anciens Etablissements Cail, Appellant, vs. The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims on appeal and cross appeal, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr Justice McKenna

William Crozier, Petitioner, vs. Fried. Krupp Aktiengesellschaft. On writ of certiorari to the Court of Appeals of the District of Columbia

8.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to that Court to affirm the decree of the Supreme Court of the District of Columbia dismissing the bill, without prejudice, however, to the right of the defendant here, who was the complainant below, to proceed in the Court of Claims in accordance with the provisions of the Act of Congress of June 25, 1910.

Per Mr. Chief Justice White

Louis Elei Joseph Henry de Galard de Brassac de Bearn, Count and Prince of Bearn and Chateau, Plaintiff in Error, vs. Francois de Bearn, Bernard de Bearn, Odon de Bearn and Pierre de Bearn.

In Error to the Court of Appeals of the State of Maryland.

747

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

Louis Elei Joseph Henry de Galard de Brassac de Bearn, Count and Prince of Bearn and Chateau, Plaintiff in Error, vs. Francois de Bearn

In Error to the Court of Appeals of the State of Maryland.

748

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and

by this Court that the writ of error in this cause be and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

Louis Elie Joseph Henry de Galard de Brassac de Bearn, Count and Prince of Bearn and Chalais, Plaintiff in Error,
vs.
Odon de Bearn.

In Error to the Court of Appeals of the State of Maryland.

799

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

Louis Elie Joseph Henry de Galard de Brassac de Bearn, Count and Prince of Bearn and Chalais, Plaintiff in Error,
vs.
Pierre de Bearn.

In Error to the Court of Appeals of the State of Maryland.

800

This cause came on to be heard on the tran-

of the State of Maryland, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief-Justice White

Louis Elie Joseph Henry de Galard de Brassac de Beam, Count and Prince of Beam and Chalais, Plaintiff in Error, vs Jean Baptiste Chaumet. — In Error to the Court of Appeals of the State of Maryland.

801

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief-Justice White.

Joseph D. Sullivan, Trustee in bankruptcy of Aaron Goldman, bankrupt, Appellant, vs Aaron Goldman. — Appeal from the Supreme Court of the District of Columbia.

874

This cause came on to be heard on the transcript

of the record from the Supreme Court of the District of Columbia, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

Hannah L. Andrews, Executrix of the Estate of Benajah D. Andrews, deceased, Appellant. vs. Harvey K. Partridge, Trustee in Bankruptcy of Benajah D. Andrews.

Appeal from the United States Circuit Court of Appeals for the Third Circuit.

No. 407.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

1075 Arthur Johnson, Petitioner. vs. The United States

On consideration of the motion for leave to proceed in this cause in forma pauperis and of the consent of The United States thereto, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White.

Ex parte: In the matter of Charley Webb, Petitioner. Original.

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

985. Standard Sanitary Manufacturing Co., et al., Appellants, vs. The United States of America.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 15th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

Interstate Commerce Commission and The United States, Appellants, vs. Louisville & Nashville Railroad Co. 1063.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 15th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

The United States et al., Appellants, vs. Atchison, Topeka & Santa Fe Railway Co. et al. 883.

The United States et al., Appellants, vs. Union Pacific Railroad Co. et al. 884.

The United States et al., Appellants, vs. Atchison, Topeka & Santa Fe Railway Co. et al. 928

The United States et al., Appellants, vs. Union Pacific Railroad Co. et al. 929.

It is ordered by the Court that these cases be, and they are hereby, restored to the docket for re argument before a full bench, and assigned for Tuesday, October 15th next, after the cases heretofore assigned for that day.

Per Mr Chief Justice White

The Kansas City Southern Railway Co.,
187. vs. Plaintiff in Error,
J. M. Carl.

Chicago, Burlington & Quincy Railway Co.,
199. vs. Plaintiff in Error,
N. Fred Miller.

Chicago, St. Paul, Minneapolis & Omaha Railway Co.,
523. vs. Plaintiff in Error,
Bud R. Latta.

Adams Express Co.,
213. vs. Plaintiff in Error,
E. H. Croninger.

It is ordered by the Court that these cases be and they are hereby restored to the docket for re-argument before a full bench, as assigned for Tuesday, October 15th next, after the cases heretofore assigned for that day.

Per Mr Chief Justice White.

Hannah L. Andrews,
Executrix of the Estate of Benajah D. Andrews, deceased,
407 vs. Petitioner,
Harvey K. Partridge
Trustee in Bankruptcy of Benajah D. Andrews.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it

now here ordered by the Court that the said petition be, and the same is hereby, granted. It is further ordered that the transcript of record heretofore filed stand as a return to said writ.

Per Mr. Chief Justice White.

1010 Samuel Lewis, Petitioner, vs. H. Oliver Frick, United States Immigration Inspector, etc. | On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

1025 Atlantic Transport Co. of West Virginia, Petitioner, vs. Frank Imbrovek. | On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had as

now here ordered by the Court that the said petition be, and the same is hereby, granted.

per Mr. Chief Justice White.

1029. Atlantic Transport Co. of West Virginia, Petitioner, vs. State of Maryland to the use of Mary Szczesek, Widow, etc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, granted.

per Mr Chief Justice White.

1046. A. Leo Everett as Trustee in bankruptcy of Alfred M. Judson, individually and as a member of the firm of Judson & Judson, Petitioner, vs. William D. Judson as Executor of the last will and testament of Alfred M. Judson.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of

certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

1000 Harrison T. Groom, Petitioner, vs. The Mortimer Land Co., et al — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr Chief Justice White.

1018 St Louis Southwestern Railway Co., Petitioner, vs. Lewellen Brothers — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and

same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1021. Joseph D. Sullivan, Trustee in bankruptcy of Aaron Goldman, bankrupt, Petitioner, vs. Aaron Goldman. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1037. National Equipment Co., Petitioner, vs. The Honorable George C. Holt, U. S. District Judge for the Southern District of New York. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as

now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1038. James C. Kuhn, Petitioner, vs. The Honorable George C. Holt, U.S. District Judge for the Southern District of New York. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1039. Powell's, a Corporation, Petitioner, vs. The Honorable George C. Holt, U.S. District Judge for the Southern District of New York. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of

well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr Chief Justice White

1040. James A. McClurg & Sons, Petitioner, vs. The Honorable George C. Holt, U. S. District Judge for the Southern District of New York. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1045. Herschel Martin Bacon, bankrupt. Petitioner, vs. Buffalo Cold Storage Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well

here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1049 Frederick C. Tudt, Petitioner, vs. Atchison, Topeka & Santa Fe Railway Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1054 Maria A. Evans, Executrix of Robert D. Evans, deceased, Petitioner, vs. Knickerbocker Trust Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said

1055. Stephen M. Weld, Petitioner, vs. Knickerbocker Trust Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1056 Theophilus Parsons, Petitioner, vs. Knickerbocker Trust Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1037 Albert S. Bigelow, Petitioner, vs Knickerbocker Trust Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby denied.

Per Mr. Chief Justice White

1038 William M. Conant, Petitioner, vs. Knickerbocker Trust Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby denied.

Per Mr. Chief Justice White

1059. Russell S Codman, Petitioner, vs. Knickerbocker Trust Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1060 William Seymour, Petitioner, vs. A. M. McDaniel On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1061. The Mayor and City Council of Baltimore, vs. Petitioners Andrew Miller et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

876. Puja Hermanos, S. en C. vs. Appellants, Ricardo A. Gandara Calderley. On consideration of the motion to dismiss or affirm or to place this cause on the summary docket, It is now here ordered by the Court that the further consideration of the motion to dismiss or affirm be, and the same is hereby, postponed to the hearing of the cause on the merits, and that the motion to place the cause on the summary docket be and the same is hereby, denied.

Per Mr. Chief Justice White.

Choeman Ku Kuchu, Claimant, etc., vs. Petitioner. The United States. 1036

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. R. Serven, in support of the same, and by Mr Solicitor General Lehmann in opposition thereto.

Texarkana Gas & Electric Light Co., vs. Petitioner. Mrs Ollie Powell et al. 1069.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Max Pam, Mr. Charles S Todd and Mr. John J. King in support of the same, and by Mr Charles A. Culberson in opposition thereto.

Commonwealth of Virginia, Complainant, vs. State of West Virginia. 3 Original.

The answers to the rule to show cause why the petition of the Special Master that the amount of his compensation be advanced and paid by the complainant should not be granted was submitted to the consideration of the Court on printed arguments by Mr Samuel W. Williams, of counsel for the complainant and Mr. Holmes Conrad, of counsel for the bondholders; by Mr William L Cooley of counsel for the defendant

orally, and by Mr Charles E Sullivan for the

962 The Norfolk & Suburban Turnpike Co., Plaintiff in Error, vs. The Commonwealth of Virginia

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Samuel W. Williams, of counsel for the defendant in error in support of the motion, and by Mr Nathaniel T. Green, of counsel for the plaintiff in error, in opposition thereto

1 Original The People of the State of New York, Complainant, vs. State of New Jersey et al.

Mr. William J. O'Sullivan, of counsel for the complainant, submitted to the consideration of the Court a motion to extend the time for taking testimony in this cause.

364 The Chesapeake & Ohio Railway Co., Plaintiff in Error, vs. W. H. Conley, Attorney General, et al.

This cause was argued by Mr F. B Enslow, of counsel for the plaintiff in error, and by Mr. W. H. Conley, of counsel for the defendants in error

1124.	The Oregon Railroad & Navigation Co., vs. Thomas K. Campbell et al. Appellant,	The argument of this cause was commenced by Mr. Maxwell Evarts, of counsel for the appellant.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock M.

Tuesday, April 9th, 1912.

Pursuant to adjournment, the Court met this day at the Capitol.

Present.

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKinney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. H. H. Obear, it is ordered that William W. Grant, Jr., Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Garland Dupré, it is ordered that B. E. Eaton, Esquire, of Gulfport, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James P. Clarke, it is ordered that George A. McConnell, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maxwell Evarts, it is ordered that Michael J. Barrett, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

1078 William Bowman,
vs. Plaintiff in Error,
The State of Arkansas.

Mr. James P. Clarke, of counsel for the defendant in error, having filed in open court the following certificate, to wit:

"In the Supreme Court of Arkansas
Office of the Clerk

William Bowman,
vs. Appellant, # 1414
State of Arkansas, Appellee.

Certificate

I, Peyton D. English, Clerk of the Supreme Court of Arkansas, do hereby certify that the case of William Bowman, Appellant, vs. State of Arkansas, Appellee, appealed from the Circuit Court of Scott County, State of Arkansas, was affirmed by a judgment of the Supr

Court of Arkansas, made and entered on the 20th day of December, 1909.

I further certify that a Writ of Error was issued by the Clerk of the Circuit Court of the United States for the Eastern District of Arkansas, Western Division on the 14th day of May, 1910, and that said writ of error was allowed by the Hon. Edgar A. McCulloch, Chief Justice of the Supreme Court of Arkansas, on the said 14th day of May, 1910, and that duplicate copies of said writ of error are now on file and of record in my office.

In testimony whereof, I have hereunto set my hand and affixed the seal of the Supreme Court of Arkansas on this 16th day of February, 1912.

Seal

P. D. English,
Clerk of the Supreme Court of Arkansas."

moved the Court to docket and dismiss this cause pursuant to the 9th rule. And it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Arkansas, be, and the same is hereby, docketed and dis-

and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice White

1124. The Oregon Railroad & Navigation Co., Appellant, vs. Thomas K. Campbell et al.

The argument of this cause was continued by Mr. Maxwell Evarts, of counsel for the appellant, and concluded by Mr. Joseph N. Teal, of counsel for the appellees.

734 Southern Pacific Co., et al. Appellants, vs. Thomas K. Campbell et al., Commissioners, etc., et al.

This cause was argued by Mr. Joseph N. Teal, of counsel for the appellees, and submitted on a printed argument by Mr. Maxwell Evarts, of counsel for the appellants.

399 George T. Simpson et al., Appellants, vs. David C. Shepard

600 George T. Simpson et al., Appellants, vs. Emma B. Kennedy et al., Executrix etc., et al.

601. George T. Simpson et al., Appellants, vs. William Skillaber

On motion of Mr. T. D. O'Brien, of counsel for the appellants, and Mr. Charles W. Bunn, of counsel for the appellees, six hours are allowed each side for the argu-

cases. The argument of these cases was commenced by Mr T. D. O'Brien, of counsel for the appellants, and continued by Mr. Edward J. Young of counsel for the appellants.

Proclamation being made, the Court is adjourned

Wednesday, April 10th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Thomas H. Hogsett it is ordered that William Allen Ivarey, Esquire, of Cleveland State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew James Peters, it is ordered that Jeremiah G. Tennessey, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Bergen, it is ordered that William H. Corbin, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	George T. Simpson et al.,	The argument of these cases was continued by Mr. Edward J. Young, of counsel for the appellants, and by Mr. W. W. Dunn, of counsel for the appellees.
599	vs. Appellants,	
	David C. Shepard	
	George T. Simpson et al.,	
600	vs. Appellants,	
	Emma B Kennedy et al.,	
	Executors, etc., et al.	
	George T. Simpson et al.,	
601.	vs. Appellants,	
	William Shillaber.	

Proclamation being made, the Court is adjourned

Thursday, April 11th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day — Associate
Horace H. Lurton — Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Hoke Smith, it is ordered that Ronald Ransom, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that William Hayward, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

598 Trussed Concrete Steel Co. vs. Fidelity Storage Corporation et al. Appellant. Appeal from the Court of Appeals of the District of Columbia

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

599 George T. Simpson et al., vs. Appellants, David C. Shepard.

600 George T. Simpson et al., vs. Appellants, Emma B. Kennedy et al., Executors, &c., et al.

601 George T. Simpson et al., vs. Appellants, William Shellabar

The argument of these cases was continued by Mr. C. W. Bunn and Mr. Pierce Butler, of counsel for the appellants.

Proclamation being made the Court is adjourned

Friday. April 12th. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. N. P. Bryan, it is ordered that William K. Jackson, Jr., Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

599 George T. Simpson et al.,
vs. Appellants,
David C. Shepard

600 George T. Simpson et al.,
vs. Appellants,
Emma B. Kennedy et al, Extrs &c et al.

601 George T. Simpson et al.,
vs. Appellants,

The argument of these cases was continued by Mr. Pierce Butler, of counsel for the appellees, and

Friday, April 12th, 1912, continued

T. Young, of counsel for the appellants, and concluded by Mr. T. D. O'Brien, of counsel for the appellees.

Robert P. Allen et al., Commissioners, etc.,
813. vs. Appellants,
The St Louis, Iron Mountain & Southern Railway Co.

Robert P. Allen et al., Commissioners, etc.,
814. vs. Appellants,
St. Louis Southwestern Railway Co.

On motion of Mr. Joseph M. Hill, of counsel for the appellants, one hour additional time is allowed each side in the argument of these cases. The argument of these cases was commenced by Mr. Joseph M. Hill, of counsel for the appellants, and continued by Mr. J. M. Moore, of counsel for the appellees.

Proclamation being made, the Court is adjourned

Monday, April 15th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert E. Doan, it is ordered that Caroline Irene Grueheimer, of Chillicothe, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Miles Poindexter, it is ordered that Thomas Upton Sisson, Esquire, of Winona, and William H. Watkins, Esquire, of Jackson, State of Mississippi, and George F. Hanson, Esquire, of Seattle, State of Washington, be admitted to practice

they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Kern, it is ordered that Bronte M. Aitkins, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. S. Davenport, it is ordered that Lewis C. Lawson, Esquire, of Holdenville, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Bartlett, it is ordered that Harvey Hunter Pratt, Esquire, of Scituate, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. T. Denison, it is ordered that Sanford H. E. Freund and Alan Fox, Esquires of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

half by Mr. Levi Cooke, it is ordered that Louis R. Frankel, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. D. McKenney, it is ordered that Arthur F. Gotthold, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

103. St. Louis, Iron Mountain & Southern Railway Co. vs. T. J. Wynne. Plaintiff in Error, In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Van Devanter

J. S. Mullen and W. B. Jansen, Appellants,	Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.
vs.	
The United States.	

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, by this Court, It is now here ordered, adjudged and decreed, that, with respect to the appellants, the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed, and the decree of the Circuit Court of the United States for the Eastern District of Oklahoma be, and the same is hereby, affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Oklahoma.

Per Mr. Justice Hughes.

Choemon Ki-Kuchi, Claimant of the Schooner "Tokai Maru," etc., Petitioner,	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.
vs.	
The United States.	

On consideration of the petition for a writ of certiorari herein to the United States Circuit

and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1069. Texarkana Gas & Electric Company. vs. Petitioner Mrs. Ollie Powell et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

3, Original. Commonwealth of Virginia, Complainant, vs. State of West Virginia. On consideration of the petition of the Special Master for an order requiring the complainant to advance the amount of his compensation as fixed by this Court, and of the answers of the parties to the order to show cause entered herein on March 18th, 1912, It is now here ordered by the Court that the complainant pay to the Clerk of this Court the

of said compensation, said amount to be paid by said Clerk to said Special Master, the amount thereof to be taxed as part of the costs in this cause on final decree.

Per Mr. Chief Justice White.

The People of the State of New York, Complainants, vs. State of New Jersey and Passaic Valley Sewerage Commissioners. Original. No. 4.

On consideration of the motion to extend the time for taking testimony in this cause, It is now here ordered by the Court that the time for complainants to take further testimony be extended to the first day of October, 1912, that the defendants may take testimony between the second day of October, 1912, and the first day of February, 1913, and that the complainants shall then conclude the taking of testimony on or before April 30th, 1913.

Per Mr. Chief Justice White.

The Interstate Commerce Commission and The United States, Appellants, vs. Goodrich Transit Co. No. 879, 880.

The United States and The Interstate Commerce Commission, Appellants, vs. No. 881, 882.

On motion of Mr. Solicitor General Lehmann, of counsel for the appellants, leave is hereby granted the Clerk to issue the mandates

1053. Arthur Johnson, Petitioner. vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Joseph Salomon and Mr. Paca Oberlin in support of the same. Mr. Solicitor General Lehmann concurred in the application

1053. Salmen Brick & Lumber Co., Ltd., Petitioner. vs. Donald & Taylor. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. John D. Grace and Mr. Gustave Lemle in support of the same.

1054. Merchants & Miners Transportation Co., et al., Petitioners. vs. Robinson Baxter-Dickenson Towing & Transportation Co. et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Daniel N. Hayne in support of the same, and by Mr. Samuel Dart in opposition thereto.

1052. Merchants & Miners Transportation Co., et al., Petitioners vs. General Chemical Co. The petition for a writ of certiorari herein was submitted to the con-

Court on printed arguments by Mr. Daniel H. Hayne and Mr. Samuel Park in support of the same, and by Mr. James J. Maclin and Mr. De Lagnel Berrien in opposition thereto.

1033. Merchants & Miners Transportation Co., Petitioner, vs. Louis Gildersleeve et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Daniel H. Hayne in support of the same, and by Mr. James J. Maclin and Mr. De Lagnel Berrien in opposition thereto. Leave was granted Mr. Daniel H. Hayne to file an additional brief on or before Wednesday.

1079. The Darius Cole Transportation Co., Petitioner, vs. The White Star Line.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Frank E. Doremus in behalf of Mr. T. A. Canfield and Mr. George L. Canfield in support of the same.

410. Santa Fe, Prescott & Phoenix Railway Co., Plaintiff in Error, vs. Grant Brothers Construction Co.

The motion to amend the writ of error in this cause was sub

consideration of the Court on printed arguments by Mr. Evans Browne in behalf of Mr. Robert Dunlap and Mr. Paul Burks, of counsel for the plaintiff in error in support of the motion, and by Mr. Edward F. Colladay, Mr. A. C. Baker and Mr. Isidore B. Dockweiler, of counsel for the defendant in error in opposition thereto. The motion to dismiss was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward F. Colladay, Mr. A. C. Baker and Mr. Isidore B. Dockweiler, of counsel for the defendant in error in support of the same, and by Mr. Robert Dunlap and Mr. Paul Burks, of counsel for the plaintiff in error in opposition thereto.

1082. St. Louis & San Francisco Railroad Co. vs. W. A. Herr, Administrator &c. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. L. Russell Alden, Mr. H. Generes Dufour, Mr. W. F. Evans, and Mr. E. T. Miller in support of the same

1066 Atlantic Mutual Insurance Co., vs. Peninsular & Occidental Steamship Co., Owner, &c. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the

arguments by Mr. John W. Yerkes, Mr. George E Hamilton and Mr. Walter F. Taylor in support of the same, and Mr. John F. Lewis and Mr. Francis S. Lawe in opposition thereto

209. The United States, Appellant, vs. Société Anonyme des Anciens Etablissements Cail. / Société Anonyme des Anciens Etablissements Cail, Appellant, vs. The United States.

On motion of Mr. Reeve Lewis in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause

210.

147. Mgr. Jeremiah J Harty, Appt & Plff in Error, vs. The Municipality of Victoria

It is ordered by the Court that this cause be, and the same is hereby, continued per stipulation of counsel

8, Original. The State of Arkansas, Complainant, vs. The State of Tennessee

The demurrer to the bill of complaint in this cause was submitted to the consideration of the Court on printed arguments by Mr. Charles T. Cates, Jr., of counsel for the defendant, in support of the demurrer, and by Mr. Hal L. Norwood and Mr. Carruthers

American Security & Trust Co. et al.,
vs.
The Commissioners of the District of Columbia.

In pursuance of the order of this Court entered herein on the 1st instant, Mr. William G. Johnson, of counsel for the American Security & Trust Co. et al., submitted to the consideration of the Court a petition for the allowance of a writ of error in this cause to the Court of Appeals of the District of Columbia, and a printed argument in support of the same.

The Washington Home for Incurables,
vs.
American Security & Trust Co. et al.

In pursuance of the order of this Court entered herein on the 1st instant, Mr. Henry B. F. Macfarland, Mr. Charles Cowles Tucker and Mr. J. Miller Kenyon, of counsel for The Washington Home for Incurables, submitted to the consideration of the Court a printed argument in support of a petition for the allowance of an appeal to this Court from the Court of Appeals of the District of Columbia.

Benjamin L. Vermillion
vs.
Baltimore & Ohio Railroad Co.

In pursuance of the order of this Court en-

the 1st instant, Mr. Joseph W. Cox and Mr. John A. Kratz, Jr., of counsel for Benjamin L. Vermilion, submitted to the consideration of the Court a printed argument in support of a petition for a writ of error in this cause to the Court of Appeals of the District of Columbia.

Robert S. Allen et al., Commissioners, etc., Appellants.
813. vs.
St Louis, Iron Mountain & Southern Railway Co.

Robert S. Allen et al., Commissioners, etc., Appellants,
814. vs.
St Louis Southwestern Railway Co.

The argument of these cases was continued by Mr. J. M. Moore, of counsel for the appellees, and concluded by Mr. Joseph M. Hill, of counsel for the appellees.

Railroad Commission of Ohio, Appellant,
776. vs.
B. A. Worthington, Receiver &c.

Railroad Commission of Ohio, Appellant.
505. vs.
B. A. Worthington, Receiver, &c.

The argument of these cases was commenced by Mr. Thomas N. Hogsett, of counsel for the appellant.

Proclamation being made, the Court is ad-

Tuesday, April 16th, 1912.

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James M. Swift, it is ordered that John J. Higgins, Esquire, of Somerville, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Birney, it is ordered that A. S. Newburgh, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

Tuesday, April 16th, 1912, continued

Ernest W. Lewis Esquire, of Phoenix, State of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis V. S. Oliver, Jr., it is ordered by the Court that Lorenzo Vello, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

776. Railroad Commission of Ohio, Appellant, vs. B. A. Worthington, Receiver, etc.

508. Railroad Commission of Ohio, Appellant, vs. B. A. Worthington, Receiver, etc.

The argument of these cases was continued by Mr. Thomas A. Hogsett, of counsel for the appellant, and by Mr. W. W. Duncan and Mr. William C. Sanders, of counsel for the appellee, and concluded by Mr. Thomas A. Hogsett, of counsel for the appellant.

519. Chester S. Jordan, Plaintiff in Error, vs. Commonwealth of Massachusetts.

The argument of this cause was commenced by Mr. Arthur Thad Smith, of counsel for the

Swift, of counsel for the defendant in error, and concluded by Mr. Harvey N. Pratt, of counsel for the plaintiff in error.

The Interstate Commerce Commission, Plaintiff in Error, vs. The United States of America ex rel. Humboldt Steamship Co. 554

This cause was argued by Mr. P. J. Farrell, of counsel for the plaintiff in error, and by Mr. Charles D. Drayton, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Wednesday, April 17th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that William D. Anderson and Claude Clayton, Esquires, of Tupelo, State of Mississippi, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James S. Davenport, it is ordered that Claude S. Arnold, Esquire, of McAlester, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. G. Buerlein, it is ordered that Edward T. Lovejoy, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

The Title Guaranty & Surety Co.,
Plaintiff in Error,
vs.
William Francis Nichols
102.

On motion of Mr. Frank B. Kellogg, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

James A. Graham,
Plaintiff in Error,
vs.
The State of West Virginia
721.

This cause was argued by Mr. D. W. Baker, of counsel for the plaintiff in error, and by Mr. William G. Conley, of counsel for the defendant in error.

Mary Nielsen, Administratrix, etc., and in her own right,
Appellant,
vs.
Albert Steinfeld et al.
218

The argument of this cause was commenced by Mr. Edwin F. Jones, of counsel for the appellant, and continued by Mr. Eugene S. Ives, as counsel for the appellees.

Thursday, April 18th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Associate Justices

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. D. W. Baker, it is ordered that William T. S. Hart, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. H. Loomis, it is ordered that Frank H. Gaines, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert O. Harris, it is ordered that Francis M. Phelan, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

267 W. H. Byles, Plaintiff in Error, vs. State of Arkansas. In Error to the Supreme Court of the State of Arkansas.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

215. Mary Nielsen, Administratrix, etc., and in her own right, vs. Albert Steinfeld et al, Appellant. The argument of this cause was concluded by Mr. Eugene S. Ives, of counsel for the defendants in error.

Thursday, April 18th, 1912, continued

Cross Lake Shooting & Fishing Club,
46 vs. Plaintiff in Error,
State of Louisiana.

This cause was argued by Mr. Edgar H. Farrar, of counsel for the plaintiff in error, and by Mr. W. P. Hall, of counsel for the defendant in error.

Actieselskabet "Jason"
220 vs.
John Arbuckle et al.

This cause was argued by Mr. J. Parker Kirlin for the "Jason" and by Mr. [illegible] Kneeland of counsel for Arbuckle et al.

Proclamation being made, the Court is ad-

Friday April 19th. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Scott Ferris, it is ordered that J. D. Lydick, Esquire, of Shawnee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis Burton Harrison, it is ordered that Thomas A. Brennan, Esquire, of New York City, and Alex. H. Seymour, Esquire, of Albany, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Kern, it is ordered that William M. Ansden, Esquire, of Marion, State of Indiana be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. B. Winslow, it is ordered that William L. Patton, Esquire, of Springfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hoke Smith, it is ordered that Orville A. Park, Esquire, of Macon, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Reuben L. Haskell and Jacob L. Hollzmann, Esquires, of Brooklyn, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Friday April 19th. 1912. continued

Edward Quigley McCaughey and George Joseph McCaughey, minors, &c., et al. Plaintiffs in Error,
vs.
Alexander Lyall et al.

No. 217. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Cyrus F. McNutt, of counsel for the plaintiffs in error, and by Mr. Alexander Lyall for the defendants in error.

D. L. Henderson, Trustee, &c., Petitioner.
vs.
Sam Mayer.

No. 218. This cause was argued by Mr Orville A. Park, of counsel for the petitioner, and by Mr. Arthur A. Codington, of counsel for the respondent.

The United States of America, Appellant,
vs.
The Union Pacific Railroad Company et al.

No. 820. On motion of Mr Attorney General Wickersham, of counsel for the appellant, four hours are allowed to each side for the argument of this case. The argument of this case was commenced by Mr. C. A. Severance, of counsel for the appellant, and continued by Mr. C. J. Dunne, of counsel for the appellees.

Proclamation being made, the Court is adjourned until Monday next, at twelve o'clock M.

Monday, April 22d, 1912.

Pursuant to adjournment the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Samuel W. Fordyce, Jr., Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that Rollin W. Rodgers, Esquire, of Texarkana, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Fowler, it is ordered that Wrisley Brown, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. B. Church, it is ordered that Elbert Lewis Hyde, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel W. Baker, it is ordered that William G. Murdock, Esquire, of Millon, State of Peinsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States of America, Appellant, vs. The Terminal Railroad Association of St. Louis et al. Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

386

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whe-

of It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Missouri for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Lurton.

(Mr. Justice Holmes took no part in the hearing or determination of this cause.)

Samuel D. Gromer, Treasurer of Porto Rico, vs. Standard Dredging Co. — Appellant — Appeal from the District Court of the United States for Porto Rico.

1744

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said District Court with directions to sustain the demurrer and dismiss the bill.

Per Mr. Justice McKenna.

Dissenting:

8, Original. The State of Arkansas, Complainant, vs. The State of Tennessee.

This cause came on to be heard on the bill of complaint and the demurrer 1075.

of the defendant thereto, and was argued by counsel, On consideration whereof, It is now here ordered by the Court that said demurrer be, and the same is hereby, overruled, and leave is hereby granted the defendant to file answer on or before the first Monday of the next term.

Per Mr. Chief Justice White.

410 Santa Fe, Prescott & Phoenix Railway Co. vs. Plaintiff in Error, Grant Brothers Construction Co.

On consideration of the motion to dismiss the writ of error in this cause, and of 1075

the motion to amend the writ of error in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion to dismiss be, and the same is hereby, denied. It is further ordered that the motion to amend the writ of error by adding the name of National Surety Company as an additional plaintiff in error, be, and the same is hereby, granted. 1075

Per Mr. Chief Justice White.

Arthur Johnson, Petitioner vs. The United States. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel in support of the same, It is now here ordered by the Court that the said petition be, and the same is hereby, granted, the record presented with the petition to stand as a return to the writ.

Per Mr. Chief Justice White.

Arthur Johnson, Petitioner vs. The United States. It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on Monday, the 29th instant, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

Merchants & Miners Transportation Co., Petitioner vs. Robinson Baxter-Dissosway Towing & Transportation Co. et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of cer

of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1052. Merchants & Miners Transportation Co. and The Robinson Baxter-Dissosway Towing & Transportation Co., Petitioners vs. General Chemical Co.

On petitions for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. 1066.

On consideration of the petitions for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petitions be, and the same are hereby, denied.

Per Mr. Chief Justice White

1053. Merchants & Miners Transportation Co., Petitioner vs. Louis Gildersleeve et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. 1074.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court

of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Atlantic Mutual Insurance Co., Petitioner, vs. Peninsular & Occidental Steamship Co., Owner of the Steamship "Florida." — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

The Darius Cole Transportation Co., Petitioner, vs. The White Star Line. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit

the argument of counsel thereupon
in support of as against the same
ordered by this Court that the s
and the same is hereby denied.

Per Mr. C

1082. St. Louis & San Francisco Railroad Co. Petitioner. vs. W. A. Herr, Administrator of E. J. Herr, deceased.

On pe
of cer
United
cuit
peals
Circu

On consideration of the petition
certiorari herein to the United Sta
Court of Appeals for the Fifth C
of the argument of counsel thereup
well in support of as against th
now here ordered by this Court th
petition be, and the same is hereby

Per Mr. Chi

1083. Salmen Brick & Lumber Co., Petitioner. vs. Donald & Taylor.

On p
of cer
United
cuit C

peals for the Fifth Circuit.

On consideration of the petition
certiorari herein to the United Stat
Court of Appeals for the Fifth Ci
the argument of counsel thereupon
in support of as against the same

e had, as well
e. It is now here
aid petition be,

hief Justice White.

etition for writ
tiorari to the
ed States Cir-
Court of Ap.
for the Fifth
it.

for a writ of
ates Circuit
Circuit, and
hon had, as
e same. It is
hat the said
, denied.
f Justice White

etition for writ-
tiorari to the
d States Cir-
ourt of Ap.

for a writ of
es Circuit
ircuit, and of
e had, as well

here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

The Chief Justice announced that the call of the docket for the present term will be suspended on Friday, May 3, next.

1045 Charles A. Chase, Appellant, vs. Emil Welzlar, Surviving Executor, &c. On motion of Mr Monroe Buckley, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, advanced, pursuant to the 32d rule.

1045. Charles A. Chase, Appellant, vs. Emil Welzlar, surviving Executor, etc. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Charles A. Burr, of counsel for the appellant, and by Mr. Howard S. Gans, of counsel for the appellees.

1087. William R. Hopkins et al. Petitioners. vs. Charles Hebard et al. The petition for a writ of certiorari herein was submitted to the considera

on printed arguments by Mr. C. Bentley Matthews in support of the same, and by Mr. John Franklin Shields and Mr. William A. Stone in opposition thereto.

1081. The City of St Augustine vs. Petitioner. Minnie Thompson. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. E. P. Axtell and Mr. C. D. Rinehart, in support of the same, and Mr. W. W. Dewhurst, Mr Horatio Bisbee, and Mr George C. Bedell, in opposition thereto. 402.

1095. J. C. Turner Cypress Lumber Co., Petitioner, vs. Henry M. Pfann et al., etc The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr George C. Bedell and Mr. Horatio Bisbee in support of the same, and by Mr. Charles M. Cooper and Mr. John C. Cooper in opposition thereto 628

1072. Frank N. Chaplin and David N. Chaplin, Petitioners, vs The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr.

Charles H. Bates and Mr. P. F. Dunne in support of the same, and leave was granted Mr Solicitor General Lehmann to file a brief in opposition thereto on or before Friday next.

Justo Amsterdam, Martin Amsterdam and Maria Juana Armsteadam,
vs. Appellants,
Felix Puente, Maximo Puente Lino Puente et al

Appeal from the Supreme Court of Porto Rico.

It appearing to the Court that a motion of counsel for the appellants to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

The Citizens Savings & Trust Co.,
vs. Appellant,
C. C. Foerstner, Trustee of the Colonial Paint Co., Bankrupt.

Appeal from the United States Circuit Court of Appeals for the Second Circuit.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance

judged and decreed by this Court that
appeal be, and the same is hereby, di
with costs.

Per Mr. Chief Justice

The Texas & Pacific Railway Company, Plaintiff in Error
vs
W. A. Howell.
947.

The mo
dismis
form is
cause
milled

consideration of the Court on the record
printed arguments by Mr. S. P. Jones,
sel for the defendant in error, in suppo
the motion, and by Mr. William L. A
counsel for the plaintiff in error, in opposi
thereto.

The Missouri Pacific Railway Co., Plaintiff in Error,
vs
Ozro Castle.
3114

The moti
form in
was subm
the consid
of the Cou

the record and printed arguments by
T. J. Mahoney, of counsel for the defend
error, in support of the motion, and by
B. P. Waggener, of counsel for the plaint
error, in opposition thereto.

230 John Oluf Johannessen, Appellant. vs. The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward J. McCutchen and Mr. Samuel Knight, of counsel for the appellant, and by Mr. Assistant Attorney General Harr, of counsel for the appellee.

820 The United States of America, Appellant, vs. The Union Pacific Railroad Co., et al.

The argument of this cause was continued by Mr. P. F. Dunne, of counsel for the appellee, and by Mr. Frank B. Kellogg, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Tuesday, April 23d,

(Pursuant to adjournment, the
at the Capitol.

Present:

The Honorable Edward D. Whit
Joseph McKenn
Oliver Wendell
William R. Da
Horace H. Lurto
Charles E. Hug
Willis Van Dev
Joseph R. Lam
Mahlon Pitney
John M. Wright, Es
James A. M

Proclamation being made, the Co

On motion first made to the C
behalf by Mr. Arthur W. Selover,
that A. B. Choate, Esquire, of M
State of Minnesota, be admitted to
attorney and counsellor of this Co
was sworn accordingly.

On motion first made to the Cou
half by Mr. James M. Graham, it
that Albert Salzenstein, Esquire,
State of Illinois, be admitted to
attorney and counsellor of this Co
was sworn accordingly.

Court met today

e, Chief Justice,
a
Holmes
d
n Associate
hes Justices
nter
ar

quire, Marshal,
Kenney, Clerk.

ourt is opened.

Court in this
it is ordered
Minneapolis,
practice as an
urt, and he

rt in this be-
t is ordered
of Springfield,
practice as an
urt, and he

820. The United States of America, Appellant, vs. The Union Pacific Rail road Co. et al.

The argument of this cause was continued by Mr. Frank B. Kellogg, of counsel for the appellant, and Mr. M. N. Loomis, of counsel for the appellee, and concluded by Mr. Attorney General Wickersham, of counsel for the appellant.

221. Frank H. Wasley, Petitioner, vs. J. J. Chambers

The argument of this cause was commenced by Mr. Albert Fink, of counsel for the petitioner

Proclamation being made, the Court is ad-

Wednesday April 24th.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

221.

On motion first made to the Court in this behalf by Mr. Francis V. S. Oliver, Jr., it is ordered that Frank J. Tierney and Joseph A. Coulon, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

222.

On motion first made to the Court in this behalf by Mr. Hoke Smith, it is ordered that C. L. Pettigrew, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Ruffin, it is ordered that J. A. Shifer, Esquire, of Spartanburg, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of Charley Webb, Petitioner.

Mr J. S. Davenport, of counsel for the petitioner, submitted to the consideration of the Court an amended motion for leave to file a petition for a writ of habeas corpus in this cause.

Frank H. Wackey, Petitioner. vs. J. J. Chambers.

The argument of this cause was continued by Mr. Albert Fink, of counsel for the petitioner and by Mr. Albert H. Elliott, of counsel for the respondent, and concluded by Mr. Albert Fink, of counsel for the petitioner.

Standard Stock Food Co., Appellant. vs. H. R. Wright, as State Food and Dairy Commissioner of Iowa.

This cause was argued by Mr. F. H. Gaines, of counsel for the appellant, and by Mr. George Cosson, of counsel for the appellee.

Wednesday April 24th.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened. 2.21.

On motion first made to the Court in this behalf by Mr. Francis V. S. Oliver, Jr., it is ordered that Frank J. Tierney and Joseph A. Coulon, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

2.22.

On motion first made to the Court in this behalf by Mr. Hoke Smith, it is ordered that C. L. Pettigrew, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Ruffin, it is ordered that J. A. Shifer, Esquire, of Spartanburg, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of Charley Webb, Petitioner.

Mr J. S. Davenport, of counsel for the petitioner, submitted to the consideration of the Court an amended motion for leave to file petition for a writ of habeas corpus in this case.

Frank H. Waskey, Petitioner. vs. J. J. Chambers.

The argument of this cause was continued by Mr. Albert Finst, of counsel for the petitioner and by Mr. Albert H. Elliott, of counsel for the respondent, and concluded by Mr. Albert Finst, of counsel for the petitioner.

Standard Stock Food Co. Appellant. vs. H. R. Wright, as State Food and Dairy Commissioner of Iowa.

This cause was argued by Mr. F. H. Gaines, of counsel for the appellant, and by Mr. George Cosson, of counsel for the appellee.

223 State National Bank,
vs
D. P. Richardson, City Tax Collector of the City of Fort, et al.

ed argument by Mr. Thomas Ken
counsel for the plaintiff in error.

224 American Railroad Co. of Porto Rico,
vs
Ann Elizabeth Burch et al.

ed arguments by Mr. N. B. K. Pettis
F. L. Cornwell, of counsel for the pl
and by Mr. Willis Sweet, of counsel
defendants in error.

225 Alexander R. Slaker et al.,
vs
The Oregon Short Line Rail-road Co.

and submitted on a printed argu
Carl A. Davis, of counsel for the pl
error.

Proclamation being made, the Cou
until tomorrow at twelve o'clock.

...his cause was ar-
...ued by Mr F. M.
...ailey, of counsel
... the defendants
... error, and sub-
...tted on a print-
...udy Helm, of

...is cause was
...mitted to the
...sideration of
... Court on the
...d and print-
...ngill and Mr.
...laintiff in error,
...l for the de-

...is cause was
...ued by Mr.
...xwell Evarts,
...unsel for the
...dent in error.
...ment by Mr.
...aintiff in

...rt is adjourned

(Pursuant to adjournment, the Court met today at the Capitol.

(Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles E. Townsend, it is ordered that Henry L. Lyster, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John D. Millikin, it is ordered that Albert D. Wilson, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert H. Terrell, it is ordered that Benjamin F. Booth, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

237. Samuel Loeb, Plaintiff in Error, vs. The State of Georgia. In Error to the Court of Appeals of the State of Georgia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

226. Chicago & Alton Railroad Co., Plaintiff in Error, vs. Nathaniel T. Kirby. The argument of this cause was commenced by Mr. Garrard.

B. Winston, of counsel for the plaintiff in error; continued by Mr. Albert Salzenstein, of counsel for the defendant in error, and concluded by Mr. William L. Patton, of counsel for the plaintiff in error.

Thursday, April 25th, 1912. continued

127.	The United States. vs. Appellant, Colorado Anthracite Co.	This cause was argued by Mr. Assistant Attorney General Thompson, of counsel for the appellant, and by Mr. C. A. Keiguin, of counsel for the appellee.
208.	B. Altman & Co., vs. Appellant, The United States	The argument of this cause was commenced by Mr. Henry J. Webster, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Friday, April 26th 1912.

Pursuant to adjournment, the Court met to-day, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr Alton B. Parker, it is ordered that M. J Bryan, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilfred J. Denison, it is ordered that C. W. McConnell, Esquire, of Helena, State of Montana, and Charles Burlingham, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Frank E. Guernsey, it is ordered that Bertram L. Fletcher, Esquire, of Bangor, State of Maine, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

208 B. Altman & Co., Appellant, vs. The United States. The argument of this cause was continued by Mr Henry J. Webster, of counsel for the ~~plaintiff in error~~ appellant, and concluded by Mr. Assistant Attorney General Wemple, of counsel for the appellee.

231 Elmer A. Duffield, Appellant, vs. Henry F. Ashurst, as District Attorney, etc. This cause was argued by Mr. H. J. Norton, of counsel for the appellant, and by Mr Edward M. Doe, of counsel for the appellee.

232 German Alliance Insurance Company, Petitioner, vs. Home Water Supply Co. This cause was argued by Mr. Hartwell Cabell, of counsel for the petitioner, and by Mr. S. A. Thifer, of counsel for the respondent.

Lillian F. Slocum,
Executrix, etc.,
2.3.3. vs. Petitioner,
New York Life Insurance Co.

ent.

This cause was argued by Mr. George E. Shaw, of counsel for the petitioner, and by Mr. J. N. McIntosh, of counsel for the respond

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock

Monday, April 29th, 1912.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Frank S. Busser, Esquire, of Philadelphia State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Glassie, it is ordered that Henry Colborn Emich, Esquire, of Winthrop, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Prescott Gatley, it is ordered that Emerson R. Newell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.-

On motion first made to the Court in this behalf by Mr. Blackburn Esterline, it is ordered that Harry A. Parkin, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. M. Cockrell, it is ordered that John McAllester Stevenson, Jr., Esquire, of Sweetwater, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Hemphill, it is ordered that Benjamin Marten, Jr., Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred P. Thom, it is ordered that J. T. Coleman, Esquire, of Lynchburg,

State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that James P. Haven, Esquire, of Denison, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Alexander L. Churchill, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Duncan U. Fletcher, it is ordered that A. N. King, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that R. E. Evans, Esquire, of Dakota City, and William V. Warner, Esquire, of Omaha, State of Nebraska, be admitted to practice as attorneys and coun-

accordingly.

The State of Washington ex rel Oregon Railroad & Navigation Co., Plaintiff in Error, vs. H. A. Fairchild, John C. Lawrence, and Jesse S. Jones, Railroad Commissioners of the State of Washington.

In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, without prejudice to the power of the Commission to institute new proceedings; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to reverse the judgment of the Superior Court of Thurston County.

Per Mr. Justice Lamar.

The Gulf, Colorado & Santa Fe Railway Co., Plaintiffs in Error, vs. W. R. Dennis. In Error to the County Court of Milam County, State of Texas.

This cause came on to be heard on the transcript of the record from the County Court of Milam County, State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said County Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said County Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Van Devanter.

Alfred F. Goat et al., Appellants. vs. The United States. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is here-

cause shall proceed in conformity with the opinion of this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Oklahoma.

Per Mr. Justice Hughes

1134. The Deming Investment Co., Appellant, vs. The United States. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause with respect to the appellant be, and the same is hereby, affirmed, with modification that the cause shall proceed in conformity with the opinion of this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Oklahoma.

Per Mr. Justice Hughes

Herndon Carter Co., Appellant,
vs.
James N. Norris, Son & Co.

Appeal from the Circuit Court of the United States for the Western District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby, remanded to the District Court of the United States for the Western District of Kentucky with directions to overrule the order quashing the return of the Marshal made on the subpoena issued herein, and to set aside the decree denying the jurisdiction of the Court.

Per Mr. Justice Day.

American Security & Trust Co., et al
vs.
The Commissioners of the District of Columbia

On consideration of the petition for the allowance of a writ of error from this Court to the Court of Appeals of the District of Columbia in this cause, and of the argument of counsel in support of the

said petition be, and the same is hereby, denied.

Per Mr. Justice Holmes

The Washington Home for Incurables
vs.
American Security & Trust Co., Garfield Memorial Hospital, Children's Hospital of the District of Columbia, and Lolia L. Frank.

On consideration of of the petition for the allowance of an appeal from the Court of Appeals of the District of Columbia to this Court, and of the argument of counsel in support of the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Holmes

Benjamin L. Vermillion
vs.
Baltimore & Ohio Railroad Co.

On consideration of the petition for the allowance of a writ of error from this Court to the Court of Appeals of the District of Columbia in this cause, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr Justice Holmes.

859. The Interstate Commerce Commission, Plaintiff in Error, vs. The United States of America ex rel. Humboldt Steamship Co. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

11 Original. Ex parte: In the matter of Charley Webb, Petitioner, On consideration of the amended motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White.

11 Original. Ex parte: In the matter of Charley Webb, Petitioner. On consideration of the petition for a writ of habeas corpus herein, &

is now here ordered by the Court that cause

for the Eastern District of Oklahoma, before this Court on Monday, May 13th, 1912, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice White.

944 Missouri Pacific Railway Co., Plaintiff in Error, vs. Alonzo C. Lessenden. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

945 The State National Bank, Plaintiff in Error, vs. D. P. Richardson, City Tax Collector for the City of Frankfort, et al. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here or-

writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

231. Elmer A. Duffield, Appellant, vs. Henry F. Ashurst, as District Attorney of Coconino County, Territory of Arizona. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona.

Per Mr. Chief Justice White.

1087. William R. Hopkins, Edward J. Leighton, Frederick W. Burch et al., Petitioners, vs. Charles Hebard and The Smoky Mountain Land, Lumber & Improvement Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of

Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

1072. Frank N. Chaplin and David A. Chaplin, Petitioners. vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1054. The City of St Augustine, Petitioners. vs. Minnie Thompson. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as

now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1795. J. C. Turner Cypress Lumber Co., Petitioner, vs. Henry M. Pfann, and George I. Singletary, late partners as H. M. Pfann & Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

536. The United States, Plaintiff in Error, vs. James A. Patten et al. It is ordered by the Court that this cause be, and the same is hereby restored to the docket for reargument before a full bench, and assigned for Tuesday, October 15th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

1067. Emma Harris, alias Emma R. Smith et al., Plaintiffs in Error, vs. The United States of America

1068. Della Bennett, Plaintiff in Error, vs. The United States of America

The motions to dismiss in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Solicitor General Lehmann and Mr. Assistant Attorney General Harr, of counsel for the defendant in error, in support of the motions, and by Mr. Max Leon, of counsel for the plaintiffs in error, in opposition thereto.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Max Leon in support of the same, and by Mr. Solicitor General Lehmann and Mr. Assistant Attorney General Harr in opposition thereto.

1097. The United States of America &c., Appellant, vs. Union Stock Yard & Transit Co. of Chicago et al.

1098. The Chicago Junction Railway Co., Appellant, vs. The United States of America, &c.

Mr. Solicitor General Lehmann, of counsel for The United States, submitted to the consideration of the Court a motion to advance these cases.

Monday, April 29th, 1912, continued.

772. Fred J. Bliss, Petitioner, vs. The Washoe Copper Co., et al. The motion to advance this cause was submitted to the consideration of the Court on printed arguments by Mr. Hannis Taylor, Mr. R. L. Clinton and Mr. Caleb M. Sawyer, of counsel for the petitioner, in support of the motion, and by Mr. John A. Garber, Mr. James M. Beck and Mr. L. C. Evans, of counsel for the respondents in opposition thereto.

1046. A. Leo Everett, Trustee, &c., Petitioner, vs. William D. Judson, Executor, etc. Mr. Charles J. Murphy, in behalf of counsel for the petitioner submitted to the consideration of the Court a motion to advance this cause.

870 Evan B. Rosenkrans, Plaintiff in Error, vs. The State of Rhode Island The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Alexander L. Churchill and Mr. Percy W. Gardner, of counsel for the defendant in error, in support of the motion.

933. Missouri, Kansas & Texas Railway Co., Plaintiff in Error, vs. Mrs Sallie C. Wulf. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James P. Haven in behalf of Mr. Judson A. Wood, of counsel for the defendant in error, in support of the motion, and by Mr. Joseph M. Bryson, Mr. James Hagerman, Mr. Cecil A. Smith and Mr. A. S. Coke, of counsel for the plaintiff in error, in opposition thereto

1042. Frank M. Ashley, Petitioner, vs. The Samuel C. Tatum Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank E. Rapp in support of the same, and Mr. Edmund E. Wood and Mr. William Ray Wood in opposition thereto.

1077. Seaboard Air Line Railway, Plaintiff in Error, vs. R. P. Moore. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. King, Mr. Horatio Bibee and Mr. George C. Bedell, of

the motion, and by Mr. James F. Glen, of counsel for the plaintiff in error, in opposition thereto.

1, Original. The State of Maryland, Complainant. vs. The State of West Virginia. The motion to confirm the majority report of the commissioners in this cause was submitted to the consideration of the Court by Mr. George E. Price, of counsel for the defendant, and leave was granted counsel for the complainant to file a brief on or before the 11th day of May next.

1055. Wylie Permanent Camping Co., Petitioner vs. Gail V. Lynch. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George E. Price in support of the same, and by Mr. John H. Holt and Mr. J. Bernard Handlan in opposition thereto.

294. The Coalgate Co., Plaintiff in Error, vs. J. W. Hurst, as Administrator or Trustee, etc. The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John R. Wood, of counsel for the defendant in error in

Moseley, of counsel for the plaintiff in error, in opposition thereto.

512. Thomas H. Pickford et al., Appellants, vs. Henry M. Talbott. This cause was argued by Mr. Henry E. Davis, of counsel for the appellants, and by Mr. John Ridout, of counsel for the appellee.

549. Philadelphia, Baltimore, & Washington Railroad Co., Plaintiff in Error, vs. Theodore A. Schubert. This cause was argued by Mr. Frederic D. McKenney, of counsel for the plaintiff in error, and by Mr. John A. Kratz, Jr., of counsel for the defendant in error.

508. Mary C. Leary, Administratrix, etc., Appellant, vs. The United States. The argument of this cause was commenced by Mr. J. T. Coleman, of counsel for the appellant, and continued by Mr. Marion Erwin, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Tuesday, April 30th, 1912.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Benjamin Micou, it is ordered that C. Fred Thompson, Esquire, of Tampa, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William C. Prentiss, it is ordered that Theodore Martin, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

308. Mary C. Leary, Administratrix, etc., Appellant, vs. The United States.

The argument of this cause was continued by Mr. Marion Erwin, of counsel for the appellee, and concluded by Mr. J. T. Coleman, of counsel for the appellant.

304. Seaboard Air Line Railway, Plaintiff in Error, vs. Ernest N. Durall.

The argument of this cause was commenced by Mr. Walter A. Neal, of counsel for the plaintiff in error, continued by Mr. W. C. Douglass, of counsel for the defendant in error, and concluded by Mr. Benjamin Micou, of counsel for the plaintiff in error.

869. Low Wah Suey and Li A. Sim (Mrs Low Wah Suey), Appellants, vs. Samuel W. Backus, Commissioner, etc.

This cause was argued by Mr. Corry M. Stadden of counsel for the appellants, and by Mr. Assistant Attorney General Harr, of counsel for the appellee.

716. The Atchison, Topeka & Santa Fe Railway Co., Plaintiff in Error, vs. The United States.

This cause was argued by Mr. Robert Dunlap, of counsel for the plaintiff in error,

defendant in error.

234. The Eastern Cherokees, Appellant, vs. The United States.

The argument of this cause was commenced by Mr. Charles Poe, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Wednesday, May 1st, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. L. E. Bacon, it is ordered that Frederick A. Tennant, Esquire, of Washington, District of Columbia, and Roy Wilson Hill, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lee S. Overman, it is ordered that Joseph E. Johnson, Esquire, of Warsaw, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he

On motion first made to the Court in this behalf by Mr. W. W. Bride, it is ordered that Marcus Edward Brown, Esquire, of St Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Davis, it is ordered that C. M. Feamster, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

239 Henry Clairmont, Plaintiff in Error, vs. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. O. W. McConnell and Mr. N. W. McConnell, of counsel for the plaintiff in error, and by Mr. Assistant Attorney General Denison, of counsel for the defendant in error

211 John F. Hanson, Plaintiff in Error, vs. Emil Gustafson. In Error to the Supreme Court of the State of Kansas

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of

tenth rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

234. The Eastern Cherokees, Appellants. vs. The United States. The argument of this cause was continued by Mr. Assistant Attorney General Thompson, of counsel for the appellee, and concluded by Mr. Samuel A. Pulman, of counsel for the appellants.

201. Frank W. Brown, Appellant. vs. C. J. Elliott, United States Marshal, etc., et al.

202. E. C. Moore, Appellant. vs. C. J. Elliott, United States Marshal, etc., et al.

The rearargument of these cases was commenced by Mr. Henry F. Woodard, of counsel for the appellants; continued by Mr. Solicitor General Lehmann, of counsel for the appellees, and concluded by Mr. A. A. Birney, of counsel for the appellants.

1075. Arthur Johnson, Petitioner. vs. The United States. The argument of this cause was commenced by Mr. Paca Oberlin, of counsel for the pe-

Thursday May 2d. 1912.

Pursuant to adjournment, the Court met today at the Capitol

Present.

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar. Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that John E. MacLeish, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William L. Hodges, it is ordered that Charles A. McKee, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

243.	Northern Indiana Gas & Electric Co., Appellant, vs. The Mayor and Board of Public Works of the City of Hammond, Indiana, et al.	It is ordered by the Court that this cause be, and the same is hereby, continued, per stipulation of counsel.
245.	Jacob Oppenheimer, Plaintiff in Error, vs. The People of the State of California	In Error to the Supreme Court of the State of California.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

1075	Arthur Johnson, Petitioner, vs. The United States.	On motion of Mr. Paca Oberlin, of counsel for the petitioner, leave is hereby granted Mr. Thomas M. Baker to appear specially herein for the petitioner.

The argument of this case was continued by Mr. Paca Oberlin, of counsel for the petitioner, and

the respondent, and concluded by Mr. Thomas M. Baker (by special leave) of counsel for the plaintiffs in error.

235. Charles D. Cresswell et al., Plaintiffs in Error, vs. Grand Lodge Knights of Pythias of Georgia et al. The argument of this cause was commenced by Mr. Allen B. Parker, of counsel for the plaintiffs in error, and continued by Mr. Hamilton Douglas and Mr John P. Ross, of counsel for the defendants in error.

Proclamation being made, the Court is ad-

Friday May 30. 1902

(Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

(Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas S. Crago, it is ordered that William D. B. Ainey, Esquire, of Montrose State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Cambridge Livingston, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Ross Perry, it is ordered that Delbert J. Haff, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

1123. J. Wesley Glasgow, vs. Appellant, William A. Moyer, Warden, etc. — Mr. John C Fay, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

246. Benjamin Rosenthal vs. Plaintiff in Error, The People of the State of New York. — It is ordered by the Court that this cause be, and the same is hereby, continued per stipulation of counsel.

248. Wells, Fargo & Co. et al., vs. Plaintiffs in Error, Neiman-Marcus Co. — It is ordered by the Court that this cause be, and the same is hereby, continued, per stipulation of counsel.

233. Charles D. Cresswill et al., vs. Plaintiffs in Error, Grand Lodge Knights of — The argument of this case was continued by

Friday, May 3d, 1912, continued.

of counsel for the defendants in error, and concluded by Mr. C. L. Pettigrew, of counsel for the plaintiffs in error.

1147. Frederick A. Hyde et al., Petitioners, vs. The United States. Thus cause was re-argued by Mr. A. S. Worthington, of counsel for the petitioners, and by Mr. Solicitor General Lehmann, of counsel for the respondent.

236. Southern Railway Co., Plaintiff in Error, vs. Burlington Lumber Co. Thus cause was argued by Mr John K. Graves, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

238. Selover, Bates & Co., Plaintiff in Error, vs. Ella T. Walsh. It is ordered by the Court that this cause be, and the same is hereby, continued

240. Frank H. Jones, Trustee, etc., Appellant, vs. Charles S. Springer It is ordered by the Court that this cause be, and the same is hereby, continued

Proclamation being made, the Court is adjourned until Monday, May 13th next at twelve o'clock.

Monday, May 2nd, 1910

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Philip Walker, it is ordered that Adrian T. Kiernan, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that De Witt C. Howe, Esquire, of Concord, State of New Hampshire, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William W. Wilson, it is ordered that W. A. Wall, Esquire, of Mound City, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Adee Somerene, it is ordered that N. W. Frasure, Esquire, of Lancaster, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Justin M. Chamberlin, it is ordered that James B. Archer, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. William A. Robeson, it is ordered that Grant Jarvis, Esquire, of Rogersville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick D. Tyler it is ordered

of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

220. Actiesselskabet "Jason", vs. John Arbuckle et al

On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof It is the opinion of this Court that the first and second questions certified should be answered in the affirmative, and the third question in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Pitney.

809. George W. Choate et al. Plaintiffs in Error, vs. M. E. Trapp, Secretary of the State Board of Equalization, et al.

In Error to the Supreme Court of the State of Oklahoma

This cause came on to be heard on the transcript of the record from the Supreme Court of

counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Lamar.

Michael A. Gleason, Minnie Love, Henry McGee et al., Plaintiffs in Error, vs. J. I. Wood, County Treasurer of Pittsburg County, Oklahoma, et al. } In Error to the Supreme Court of the State of Oklahoma.

No. 568.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Lamar.

196 Bessie Brown English, Plaintiff in Error, vs. H. J. Richardson, County Treasurer of Tulsa County — In Error to the Supreme Court of the State of Oklahoma

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Lamar

197 City of Louisville, Kentucky, Appellant, vs. Cumberland Telephone & Telegraph Co. — Appeal from the Circuit Court of the United States for the Western District of Kentucky

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause

costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Kentucky.

Per Mr. Justice Lamar.

Cross Lake Shooting & Fishing Club, Plaintiff in Error, vs. The State of Louisiana

116 In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Van Devanter.

Levi B. Gritte, Richard M. Wolfe, and Frank J. Boudinot, Appellants, vs. Walter L. Fisher, Secretary of the Interior, and Franklin MacVeagh, Secretary of the Treasury.

576 Appeal from the Court of Appeals of the District of Columbia.

of the record from the Court of Appeals of the District of Columbia, and was argued by by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Van Devanter.

724. James A. Graham, Plaintiff in Error, vs. The State of West Virginia. In Error to the Supreme Court of Appeals of the State of West Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes.

549 Philadelphia, Baltimore & Washington Railroad Co., Plaintiff in Error, vs. Theodore A. Schubert. In Error to the Court of Appeals of the District of Columbia.

script of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice Hughes

208. B. Altman & Co., Appellants, vs. The United States. Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr Justice Day

524. Frank A. Waskey, Petitioner, vs. J. J. Chambers. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Alaska, Second Division, for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes.

508. Mary C. Leary, Administratrix of James D. Leary, deceased, Appellant, vs. The United States. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On con-

adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Virginia for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes

Dissenting:
Mr. Justice McKenna
Mr. Justice Pitney.

947 The Texas & Pacific Railway Co., Plaintiff in Error; vs. W. A. Howell. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern Dis-

225. Edward Quigley McCaughey, and Vernon Joseph McCaughey, minors, by their guardian, Susan M. McCaughey, Plaintiffs in Error, vs. Alexander Lyall, A. J. Finger, Mae Morton et al

In Error to the Supreme Court of the State of California

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna

224. American Railroad Co. of Porto Rico, Plaintiff in Error, vs. Ann Elizabeth Birch and Ernest Victor Birch

In Error to the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District

hereby, reversed with costs, without prejudice to such rights as the personal representatives may have; and that this cause be, and the same is hereby, remanded to the said District Court.

Per Mr. Justice McKenna.

344 The Missouri Pacific Railway Co., Plaintiff in Error, vs. Ozro Castle. In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and on motion to affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of Nebraska It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Nebraska.

Per Mr. Chief Justice White

Mary Nielsen, Administratrix of the estate of Carl S. Nielsen, deceased, and Mary Nielsen in her own personal right.

vs. Appellants,

Albert Steinfeld and The Nielsen Mining & Smelting Co., now known as and called The Silver Bell Copper Co.

Appeal from the Supreme Court of the Territory of Arizona.

218.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the Supreme Court of the State of Arizona for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice White.

294 The Coalgate Co., Plaintiff in Error, vs. J. W. Hurst, as Administrator or trustee for the widow and next of kin of Ed. Cleveland deceased. In Error to the Supreme Court of the State of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

241 John F. Hanson, Plaintiff in Error, vs. Emil Gustafson. It is ordered by the Court that the judgment entered herein on May 1st, 1912, dismissing the writ of error in this cause for failure to print the transcript of record be, and the same is hereby, vacated and set aside, and the cause restored to the docket.

Per Mr Chief Justice White

Fred J. Bliss,
772. vs. Petitioner
The Washoe Copper
Co. et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

A. Leo Everett, Trustee, etc.,
1046 vs. Petitioner
William D. Judson, Executor, etc.

On consideration of the motion to advance this cause for argument after case No. 460 on the docket for the present term, It is ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr Chief Justice White

The United States of America, &c.
1097. vs. Appellant.
Union Stock Yard & Transit Co.,
of Chicago et al.
The Chicago Junction Railway
Co.,
1098. vs. Appellant.
The United States of America, &c.

On consideration of the motion to advance these cases, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cases assigned for argument on Tuesday October 15th next, after the cases heretofore

1123 J. Wesley Glasgow, Appellant, vs. William A. Moyer, Warden, etc.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on this day, and counsel allowed one half hour on each side for the argument.

Per Mr. Chief Justice White.

943 Missouri, Kansas & Texas Railway Co. Plaintiff in Error, vs. Mrs. Sallie C. Wulf.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be postponed to the hearing of the cause on the merits. It is further ordered that this cause be placed on the summary docket at the next term.

Per Mr. Chief Justice White.

1077 Seaboard Air Line Railway, Plaintiff in Error, vs. P. R. Moore.

It is ordered by the Court that this cause be placed on the summary docket at the next term.

Per Mr. Chief Justice White.

1067 Emma Harris, alias Emma R. Smith and Bessie Green, vs. Plaintiffs in Error, The United States of America. On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, granted, and that the transcripts of record heretofore filed be taken as a return to the writ.

per Mr. Chief Justice White.

1068 Della Bennett, vs. Plaintiff in Error, The United States of America. On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, granted, and that the transcript of record heretofore filed be taken as a return to the writ.

per Mr. Chief Justice White

1042 Frank M. Ashley, Petitioner, vs. The Samuel C. Tatum Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1055. Wylie Permanent Camping Co., Petitioner, vs. Gail V. Lynch — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Four Hundred and Forty-three Cans of Frozen Egg Product, etc.,
1134. vs. Appt. and Riffin in Error,
The United States of America

Mr. Solicitor General Lehmann of counsel for the appellee and defendant in error, submitted to the Court a motion to advance this cause.

The United States of America et al.,
1133. vs. Appellants,
Baltimore & Ohio Southwestern Railroad Co. et al.

Mr. Solicitor General Lehmann, of counsel for the appellants submitted to the consideration of the Court a motion to advance this cause.

The United States,
1134. vs. Petitioners.
Twenty-five Packages of Panama Hats, Maximo Castillo, Claimant.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Lehmann and Mr. J. C. Adkins in support of the same, and Mr. Albert A. Washburn in opposition thereto.

503. The Lincoln Gas & Electric Light Co., Appellant, vs. The City of Lincoln et al.

The motion to retax the costs in this cause was submitted to the consideration of the Court on printed arguments by Mr. F. W. Lehmann in behalf of Mr. Fred C. Foster, of counsel for the appellees in support of the motion, and by Mr. Charles A. Truscott, Mr. E. C. Strode and Mr. Hallett F. Rose, of counsel for the appellant in opposition thereto.

237. Samuel Loeb, Plaintiff in Error, vs. The State of Georgia.

The motion to set aside the judgment of dismissal and reinstate this cause on the docket was submitted to the consideration of the Court on a printed argument by Mr. Jackson H. Ralston, of counsel for the plaintiff in error.

1135. Edward H. Hance et al., Petitioners, vs. The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. C. L. Sturtevant, Mr. Henry N. Paul, Jr., and Mr. Joseph C. Fraley in support of the same, and leave was granted Mr. Solicitor General Lehmann to file a brief in opposition thereto on or before Friday next.

W. Schneider Wholesale Wine & Liquor Co., Appellant, vs. August Diederich — 1104

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. James Love Hopkins, of counsel for the appellant.

The United States of America, ex rel. Ben B. Jones, Petitioner, vs. Walter L. Fisher, Secretary of the Interior. — 1105.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Henry B. F. Macfarland, Mr. Charles Cowles Tucker, Mr. J. Miller Kenyon and Mr. E. S. Bailey in support of the same, and by Mr. Assistant Attorney General Knabe in opposition thereto.

Paul A. Primeau, Petitioner, vs. Olive L. Granfield, Executrix, etc. — 1106.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Clarence J. Shearn in support of the same, and Mr. Clarence Blair Mitchell and Mr. William G. Choate in opposition thereto.

1119. The Louisville & Nashville Railroad Co. vs. J. E. Helms. Petitioner

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Benjamin Micou in behalf of Mr. W. A. Blount and Mr. A. C. Blount, Jr., in support of the same, and by Mr. R. P. Reese in opposition thereto

1080. W. H. Staley et al., vs. W. L. Derden Petitioners.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. E. S. Thompson in behalf of Mr. R. S. Neblett and Mr. Richard Mays in support of the same, and Mr. W. J. McKie and Mr. Horace Chilton in opposition thereto.

1126. George Roukous, vs. The United States. Petitioner.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Boyd B. Jones in support of the same, and leave was granted Mr. Solicitor General Lehmann to file a brief in opposition thereto within ten days.

1131. Marx and Rawolle et al., Petitioners, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. B. A. Levett in support of the same, and Mr. Solicitor General Lehmann and Mr. Assistant Attorney General Wemple in opposition thereto.

1065. Susan J. Taylor, as Administratrix, etc., Plaintiff in Error, vs. Sextus E. Taylor. Mr. Frederick S. Tyler, in behalf of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

262. Indian Protective Association, Appellant, vs. Hugh H. Gordon. The motion to affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James B. Archer and Mr. John Lewis Smith, of counsel for the appellee in support of the motion, and by Mr. Charles Poe, Mr Benjamin S. Minor and Mr. Hugh B. Roland, of counsel for the appellant in opposition thereto.

1124. A. W. Lawton, Petitioner. vs. N. Leslie Carpenter et al, etc.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. M. Chamberlin in behalf of Mr. Joseph A. McCullough and Mr. William Garrard in support of the same and by Mr. Joseph E. Johnson in opposition thereto.

1127. The City and County of Denver et al., Petitioners. vs. The New York Trust Co. et al.

1125. The City and County of Denver et al., Petitioners. vs. The Denver Union Water Co. et al.

The petition for writs of certiorari in these cases was submitted to the consideration of the Court on printed arguments by Mr. George L. Nye, Mr. Charles S. Thomas, Mr. W. H. Bryant, Mr. C. W. Waterman, Mr. Henry A. Lindsley and Mr. George L. Richmond in support of the same, and by Mr. Joel F. Vaile and Mr. Henry McAllister, Jr., of counsel for the respondents in No. 1127, and Mr. Clayton C. Dorsey and Mr. Gerald Hughes, of counsel for the respondents in No. 1125 in opposition thereto.

1152. The German Bank of Carroll County, Iowa, et al., Petitioners vs. George C. Ball, Receiver &c

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Benjamin I. Salinger in support of the same.

903. The Railroad Commission of the State of Mississippi et al., Appellants vs. Louisville & Nashville Railroad Co.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Alfred P. Thom in behalf of Mr. Henry L. Stone, Mr. G. L. Smith and Mr. Marcellus Green, of counsel for the appellee in support of the motion, and by Mr. Hannis Taylor, Mr. Claude Clayton and Mr. W. D. Anderson, of counsel for the appellants in opposition thereto.

1110. Hygienic Fleeced Underwear Co. Petitioners, vs. Phoenix Knitting Works et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Hector T. Fenton in support of the same, and by Mr. Henry N. Paul, Jr., and Mr. Joseph C. Fraley in opposition thereto.

El Paso & Southwestern Railroad Co., Plaintiff in Error; vs. Eichel & Weikel

547. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Waters Davis and Mr. Philip W. Frye, of counsel for the defendants in error in support of the motion, and by Mr. William C. Keegin and Mr. A. B. Browne, of counsel for the plaintiff in error, in opposition thereto.

The Singer Manufacturing Co., Appellant, vs. Wirt Adams, State Revenue Agent of Mississippi et al.

616. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward Mayes, of counsel for the appellees in support of the motion, and by Mr. C. H. Alexander, of counsel for the appellant in opposition thereto.

Ex parte: In the matter of Charley Webb, Petitioner.

11, Original. The argument of this cause was commenced by Mr. J. C. Stone, of counsel for the petitioner; continued by Mr. Assistant Attorney General Denison, of counsel

Lawrence Maxwell, of counsel for the Defendant

J. Wesley Glasgow; Appellant,
vs.
William H. Moyer, Warden, etc.

This cause was argued by Mr. John C. Fay, of counsel for the appellant, and Mr. Solicitor General Lehmann, of counsel for the appellee. Leave was granted counsel for the appellee to file a brief on or before Friday, and to counsel for appellant to reply thereto, if so advised.

Proclamation being made, the Court is adjourned

Monday, May 27th, 1912

Pursuant to adjournment, the Court met to-day at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that A. J. Wagner, Esquire, of Washington, District of Columbia; J. LeRoy Smith, Esquire, of Kansas City, and Virgil Rule, Esquire, of St. Louis, State of Missouri; Fred B. Merrills, Esquire, of Belleville, State of Illinois, and T. C. Hinckley, Esquire, of Panama, Republic of Panama, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this be-

that T. C. West, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Chillon, it is ordered that John H. De Witt, Esquire, of Nashville, State of Tennessee, and Douglas W. Brown, Esquire, of Huntington, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. B. Catron, it is ordered that Elfego Baca, Esquire, of Albuquerque, State of New Mexico, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joe T. Robinson, it is ordered that Robert F. Blair, Esquire, of Wagoner State of Oklahoma, and Royal Thomas McKenna, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this

that Jacob Reyle Spielman, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Brandenburg, it is ordered that Charles Cramer, and Adolph M. Schwarz, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

230 John Olaf Johannessen, Appellant, vs. The United States. Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Lurton

227. The United States. vs. Colorado Anthracite Co. Appellant. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Van Devanter.

111. The United States Fidelity and Guaranty Co., vs. M. J. Bray, M. J. Bray, Trustee of the Evansville Contract Co., Bankrupt, Jacob Eichel, Laura Eichel et al. Appellant. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this

cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of West Virginia.

Per Mr. Justice Van Devanter.

641. M. Anderson, vs. The Pacific Coast Steamship Co., Claimant of the Steamship "Queen", etc.
N. Jordan vs. The Pacific Coast Co., Claimant of the Steamship "Umatilla", etc.

On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the questions certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Hughes.

National Bank of Newport, New York, Appellant, vs. National Herkimer County Bank of Little Falls, New York. — Appeal from the United States Circuit Court of Appeals for the Second Circuit.

172.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of New York.

Per Mr. Justice Hughes

Alexander R. Stacker and Emaline Stacker, Plaintiffs in Error, vs. Oregon Short Line Railroad Co. — In Error to the Supreme Court of the State of Idaho.

223

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and was argued by counsel. On consideration whereof, It is now here

the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lurton.

191. Albert S. Bigelow, Plaintiff in Error, vs. Old Dominion Copper Mining & Smelting Co. In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Judicial Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Massachusetts.

Mr. Justice Hughes took no part in the hearing or consideration of this case.

Per Mr. Justice Lurton.

192. Albert S. Bigelow, Plaintiff in Error, vs. Old Dominion Copper Mining & Smelting Co. In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial

argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Judicial Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Massachusetts.

Per Mr. Justice Lurton.

(Mr. Justice Hughes took no part in the hearing or consideration of this case.)

226. Chicago & Alton Railroad Co., Plaintiff in Error, vs. Nathaniel T. Kirby. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for such further proceedings as are not inconsistent with the opinion of this Court.

Per Mr. Justice Lurton.

514.	Chester S. Jordan, Plaintiff in Error. vs. The Commonwealth of Massachusetts.	In Error to the Superior Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lurton.

(Mr. Justice Pitney took no part in the hearing or consideration of this case.)

515.	The Railroad Commission of Ohio, Appellant. vs. B. A. Worthington, Receiver of the Wheeling & Lake Erie Railroad Co.	Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the appeal be, and the same is hereby, dis-

missed for the want of jurisdiction

Per Mr. Justice Day.

776. Railroad Commission of Ohio, Appellant, vs. B. A. Worthington, Receiver of the Wheeling & Lake Erie Railroad Co. On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same; It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Day.

776. Railroad Commission of Ohio, Appellant, vs. B. A. Worthington, Receiver of the Wheeling & Lake Erie Railroad Co. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Ap-

hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Ohio.

Per Mr. Justice Day.

236. Southern Railway Co., Plaintiff in Error, vs. Burlington Lumber Co. — In Error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Holmes.

42. Laurence E. Sexton as Trustee in Bankruptcy of Alfred Kessler, Rudolph E. F. Flinsch and William K. Gillette, composing the firm of Kessler & Co., and of the said Kessler & Co., vs. Kessler & Co. Ltd., and Frank Youatt, Liquidator. — Appeal from the United States Circuit Court of Appeals for the Second Circuit. Appellant.

script of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Holmes.

1045. Charles A. Chase, Appellant, vs. Emil Wetzlar, Surviving Executor of the estate of Gustave J. Wetzlar, deceased. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, re-

States for the Southern District of New York.

Per Mr. Chief Justice White

1913. Ramon Valdes, vs. Central Altagracia, Incorporated, and Nevers & Callaghan. Appellant. Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White

1916. Central Altagracia, Incorporated. vs. Ramon Valdes and George C. Nevers, George B. Ackerson and James G. Callaghan, co-partners, doing business under the firm name of Nevers & Callaghan. Appellant. Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the tran-

of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White

Indian Protective Association, Appellant, vs. Hugh H. Gordon and Benjamin Miller, Administrator of the Estate of Levi Walsh, deceased. Appeal from the Court of Appeals of the District of Columbia.

262.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and on the motion of the appellee, Hugh H. Gordon, to affirm the decree as to himself, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause as to the said Hugh H. Gordon be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White

No. 1, Original.—October Term, 1911.

The State of Maryland, Complainant,
vs.
The State of West Virginia. } In Equity.

The State of West Virginia having moved the Court to take up for consideration the exceptions heretofore filed in this cause by the State of Maryland to the report of Commissioners Julius K. Monroe and Samuel S. Gannett, two of the Commissioners who were appointed by the decree entered in this cause on the 31st day of May, 1910, to run, locate and permanently mark, with suitable monuments, the Deakins or Old State Line, as the boundary line between the States of Maryland and West Virginia, from low water mark on the Southern bank of the North Branch of the Potomac River to the Pennsylvania line, and to overrule said exceptions and confirm said report, which report is in the words and figures following, to wit:

To the Honorable Chief Justice and the Associate Justices of the Supreme Court of the United States:

We, Julius K. Monroe and Samuel S. Gannett, two of the Commissioners appointed under the decree of the Court rendered May 31, 1910, "to run, locate, and establish and permanently mark with suitable monuments the said Deakins or 'Old State Line' as the boundary line between the States of Maryland and West Virginia from said point (low water mark) on the southern bank of the North Branch of the Potomac River to the said Pennsylvania line, etc.," have the honor to submit the following report, and map entitled, "Map Showing The Boundary Line Between Maryland and West Virginia, from the Potomac River to the Pennsylvania State Line, as surveyed and marked under the decree of the Supreme Court of the United States, rendered May 31, 1910," etc.:

The party was organized and went into camp on July 12, 1910, on Arnold's Ridge, about one mile north of the North Branch of the Potomac River, and immediately began the survey of the line.

Beginning at the Fairfax Stone, a line was first run North 0° 56′ E. along a well marked line to a planted stone marked "1101"B, at the southwest corner of Military Lot, No. 1101, originally a "bounded maple standing one mile north from a stone fixed by Lord Fairfax for the head of the North Branch of the Potowmack River." The intersection of this line with the south bank of the North Branch of the Potomac (at low water mark) was, under the decree of the Court, fixed as the corner of Maryland and West Virginia, and monument No. 1 was therefore erected at this place and became the initial point of the boundary line run in 1910 and 1911.

From the corner of lot 1101B, where monument No. 2 was erected, the line deflects slightly to the west and follows the old marked line on the course N. 0° 47′ 56″ E. as identified by the surveyors in the case in 1897 and shown on the maps filed by the defendants. This line crosses Arnold's Ridge, Laurel Run, Backbone Mountain, Youghiogheny River, and where it intersects the 3rd line of a Maryland tract called "Covent Garden" monument No. 4 was erected and an offset was made to the west. The 3rd line of Covent Garden was followed for a distance of 402.15 feet on the course N. 71° 48′ W. (true) to a planted stone, acknowledged by residents and owners of adjoining property and pointed out by them as being the limit of their respective claims, at this point. Monument No. 5 was built over this stone and the line was run N. 0° 27′ 04″ E. in a manner to follow the property lines, as acknowledged by the citizens of the two states; passing over the center of a planted stone property corner, which marked the beginning of the Maryland tract called Mount Pleasant, surveyed in 1774. Monument No. 6 was built over and around this stone, which was pointed out by witnesses as marking the place of the original corner, a white oak tree. Continuing on the same course, a large anciently marked white oak tree was reached and identified as the beginning of a Virginia tract of land surveyed for John Pettyjohn in 1781, and also a corner of John T. Goff 1000 acres, survey made in 1782, both of which call for the boundary line. This tree was cut and blocks taken out by your Commissioners which showed surveyors' axe marks in the wood; one 130 years old, one 117 years, and the last 78 years, thus indisputably establishing this course as following the oldest marked line extant. The stump of this tree was removed and monument No. 8 was built in the exact spot occupied by it. Upon trial it was found that from this white oak, northward, the line between property holdings of citizens in the two states, verged to the eastward, and a slight angle was therefore made to the east and the boundary line run N. 0° 42′ 57″ E. to the stump

of a bounded sugar tree, the northwest corner of a Mar
tract called Eelshine: this tree, while standing, was identi
the surveyors in this case in 1897, and also by the owners
tract. The land, since that time has been cleared, and the
ber destroyed by fire. The stump of this sugar tree was
pointed out to the Commissioners, in 1910, by Peter F. Nu
present owner of the tract Eelshine. This stump was re
and monument No. 10 erected exactly where it stood.

From this point the boundary line runs S. 89° 17′ 03″ E
feet along the line common to the tract Eelshine and the Vir
Grant to Wm. Ashby for 50 acres, to the southwest corner o
Maryland tract called Buckdale. As the southwest corner of
dale and the southeast corner of the Ashby 50 acre tract, w
are common, could not be definitely located upon the groun
all original objects marking them have been destroyed, this
was determined by the intersection of a line produced south
passing through known and accepted points in the "Old L
namely: "the stake and stone pile," on Lauer Hill, whi
the common corner of the Maryland tract called "Maryland,"
the Virginia grant to John Hoye for 500 acres, and which
identified and located by the surveyors in this case in 1897,
shown at Red "C-6" upon Map No. 1, filed by defendants,
again identified by your Commissioners in 1910; and a
north of the B. & O. Railroad near Hutton, Maryland, in
property line between lands of the Connell Heirs and Ge
Morris. Monument No. 11 was placed at the intersection o
line above described with the line eastward from Monument
10. The course of the boundary from monument No. 11, as a
determined, is N. 0° 41′ 02″ E. following closely the lines o
original Virginia grants, and passing through, or very nea
several points indicated upon map No. 1 filed in this case b
fendant, and testified to as standing in the "Deakins, or Old
Line," to a point on Glover's Hill, 1¼ miles north of the B
more & Ohio Railroad, where Monument No. 15 was ere
From this point northward it was found that the general co
of the property lines verged slightly to the west, and the cour
the boundary was here changed to N. 0° 22′ 27″ E to con
thereto, following the well marked divisional lines between
F. & W. Deakins 6000 acre Virginia grant, and the Mary
Military Lots (Nos. 1237 to 1245) and the eastern line of the
and Martin 3600 acre Virginia grant, passing over the sum
of Snaggy Mountain and through the southern end of the
Swamp to a point where this line intersects the southern li
the John Crane 776 acre Virginia grant, a short distance n
of the Cranesville and Oakland road, as indicated upon the m
filed by the defendant in this case. This point was determ
by reproducing upon the ground the southern line of said

acre Crane Survey. Monument No. 19 was erected at this point.

From Monument No. 19 an offset of 971.09 feet was made along the south line of the John Crane 776 acre tract N. 89° 27′ 27″ E to its intersection with the west boundary of Maryland Military Lot No. 1292, where Monument No. 20 was built. The boundary here turns northward, following the west limit of Military Lots 1292, 1294, 1296, 1298, 1400, & 1402 as laid out by Francis Deakins, on a true course of N. 0° 17′ 00″ E. to the northwest corner of Military Lot 1402. Monument No. 21 was placed at this point and an offset made 53.69 feet S. 89° 43′ 00″ E. along the north side of Lot 1402, (which is also the division line between lands of E. F. Jenkins and M. H. Frankhouser), where Monument No. 22 was erected.

From Monument No. 22 the course of the boundary is N 0° 24′ 42″ E., passing through, or near the point where a large marked Red Oak formerly stood, testified to in this case by Etabell Falkenstine, as standing in the Deakins or Old State Line, and shown at the letters "W-K" upon the maps heretofore filed; a planted stone, a short distance north of the Red Oak in the east line of the Henry Banks Survey of 8000 acres, and following a well marked line along and with the eastern boundary of the Banks Survey and the western boundary of the Maryland tract called "Canrobert" to a point where it intersects the south line of the 328 acre tract granted by Virginia to Henry Deal, and passing through the same, to a point where the east line of the Banks Survey intersects the south line of a tract of 367 acres granted by Virginia to Henry Deal, where Monument No. 27 was erected.

From Monument No. 27 an offset was made 347.3 feet N. 89° 25′ 12″ E. along the line between the two Henry Deal tracts above mentioned, where Monument No. 28 was placed.

From Monument No. 28 to Monument No. 32 the course of the boundary is N. 0° 20′ 07″ W. and closely follows the mutually accepted property lines of citizens of the two States; corners, trees, and fences having been pointed out by various land owners on both sides of the "Old Line." Monument No. 32 replaces a large marked Spanish Oak, which was a common corner of lands owned by John and George W. Vansickle, in West Virginia, and in the west line of land owned by W. M. Fike in Maryland. This tree was cut down and the stump removed by your Commissioners in 1911. From this point northward it was found that the old accepted boundary line veered slightly to the east, and the course of the boundary line was therefore changed to N. 0° 4′ 55″ E to conform to it.

Monument No. 34 was set at the intersection of this line with the southern boundary line of the State of Pennsylvania.

Monday, May 27th. 1912, continued

In addition to the monuments just mentioned as standing at the angular points in the boundary, others were set between, exactly in line, (See description of Monuments)

The total number of large monuments erected along the Maryland-West Virginia boundary line is 34, in addition to the one restoring the "Fairfax Stone." Of small monuments, 26 were erected, making a total of 60 permanent marks. The line is also marked at suitable places by 5 copper bolts securely fastened into natural and planted rocks.

A description of instruments and methods used in the survey, the method of constructing the monuments; location, latitude, longitude, approximate elevation, distance, true and magnetic bearings, will be found in the following pages.

Instruments.

The following instruments were used in making the survey: Theodolite, 7½ inch No. 11, United States & Canada Boundary Survey, temporarily loaned during 1910 to this Survey. In 1911, 7½ inch theodolite No. 219 of United States Coast & Geodetic Survey, loaned by the Superintendent of that Bureau in place of No. 11. No. 219 is lighter, works more freely, and is altogether much more satisfactory than No. 11. The circles on both theodolites are graduated to 10′ spaces and read by verniers to 10″. With these instruments the line was ranged out from hilltop to hilltop and flagpoles set at intervals of 1 to 4 miles.

2 Gurley transits, circles 5½ inches diameter reading by vernier A. to minutes and by vernier B to hundredths of a degree, loaned by Julius K. Monroe. With these transits the line was run from flagpole to flagpole, previously located with the theodolite, in the usual manner with double backsights and foresights. The length of foresight was limited by the length of tape, 500 feet; the length of backsight was limited only by the visibility of the rear tripod. Instead of the ordinary rods for lining in, brass plumb bobs weighing 2 pounds each, supported by tripods 7 feet high, with movable heads were used. As sights were taken on the string supporting the plumb bobs, the line was produced with great accuracy. A brass tack was set in a solid hub at each transit station.

Distances.

Distances were measured to the nearest 1/100 of a foot with a 500 foot standardized steel tape, supported at several points along its length so as to have a uniform slope, approximately parallel to the slope of the ground.

The inclination or slope of the tape was measured by the vertical circle on the transit and the horizontal distance and difference in elevation carefully computed.

Besides the 500 ft. steel tape, which was graduated to single feet, except at each end, where 1 foot was graduated to tenths, a 100 foot steel tape graduated throughout to feet, tenths and hundredths was used for shorter measurements.

Astronomical Observations.

Astronomical observations for azimuth were obtained with the theodolite by observing Polaris near eastern elongation. Ten measurements of the angle between star and mark were made with telescope direct and reversed in 5 positions of the circle. The mark was a bulls-eye lantern placed at one of the transit stations a mile or more distant, northward. Time was obtained from the railroad; a mean time Waltham watch being compared with 75th meridian time as sent by telegraph from the United States Naval Observatory at Washington each noon, and proper reduction was made for difference in longitude. Azimuth observations were made at 8 stations along the boundary line, 36.7 miles in length; usually at or near a point of deflection in the final line.

Geodetic Positions.

At a point near Cranesville, West Virginia, 24 miles north of the Fairfax stone and 12 miles south of the Pennsylvania line, connection was made with Piney Swamp triangulation station located by the United States Geological Survey by a belt of triangulation extending westward from Maryland Heights and Sugarloaf, 2 primary triangulation stations of the Coast and Geodetic Survey. The geodetic position of Piney Swamp station is on United States Standard datum, and is thus free from station error. A portion of the boundary line, 1.9 miles east of this station, measured during the progress of the survey, was used as a base line, and by measuring all the angles in 2 triangles accurate connection was made with this triangulation station. From these data the geodetic positions of all large monuments were computed.

Elevations.

The approximate elevations of all stations were determined by carrying a line of vertical angle measurements along the boundary. The elevation of Fairfax Stone was accepted as 3162 feet above mean sea level, as derived from railroad levels, and checks on the heights as computed from this, were obtained at 5 points from the topographic work of the United States Geological Survey, as follows: Near Gnegy Church; at the crossing of the Northwestern Pike; at Hutton; near Cranesville; and at the intersection of the Maryland-West Virginia line with the Pennsylvania state line. The apparent errors at these check points were distributed at the various stations in proportion to the distance.

Monday, May 27th, 1912, continued

MONUMENTS.

List of Monuments from the Fairfax Stone to the Pennsylvania Line, Giving the Size, Method of Construction, and Location,—Together with the Latitude and Longitude of Each of the Principle Monuments.

The PRINCIPAL MONUMENTS are uniform in size and shape, and consist of a moulded concrete column, twenty-two inches square at the base, tapering to ten inches square at four feet in height, (top of mould) and finished, in a few instances, with rounded top, but generally in flat, pyramidal shape, extending four to five inches above the top of mould, or form, making the entire column four feet four inches in height above base; the corners are beveled one and one half inches in width to prevent defacement.

INSCRIPTIONS: Each Monument, beginning with the initial one at the North Branch of the Potomac River, is numbered consecutively from 1 to 34 Northward to the Pennsylvania State Line; the numbers and the names of the Commissioners being placed upon the south face of the monument, except where set diagonally; the date, 1910, on the North face; the letters MD. on the East, and W. VA. on the West. The letters MD., and W. VA., are 3¼ inches in height and ¾ inch deep; the numbers 2½ inches high, and $\frac{5}{16}$ inch deep, and the names of Commissioners, one inch in height and of proportional depth. The inscriptions were moulded in the monuments, when built, (except the monument at Fairfax Stone, and Nos. 1 and 2) by means of reversed bevel faced brass and lead pattern letters, which were attached separately to the inside of the "forms"; subsequently the letters MD., W. VA., the names of Commissioners, and the date, 1910, were soldered on plates of tin reinforced with heavy sheet iron, which were securely fastened to the forms with screws. These plates were depressed slighly below the surface, which, on the finished monuments, formed corresponding elevations.

Material.

Three bags (300 pounds) best Portland cement, and seven bags (700 pounds) washed, white sand, were used in each of the large monuments. The cement and sand were thoroughly mixed before and after adding water. This material was firmly tamped in the "form," the top being finished with an ordinary mason's trowel. No stone was used in the monument.

Base.

The base of each of the principal monuments was made of concrete, the usual size being 3½ feet square, and 2½ feet deep, de-

pending upon the character and formation of the ground; in all cases sufficient depth and breadth being obtained to insure stability.

The average amount of material used in each base, was ½ barrel of best Portland cement, 1200 pounds of sand, and 1500 to 2000 pounds of broken stone. The cement and sand were thoroughly mixed before and after adding water; cement and stone were placed in the excavations in alternate layers and the whole thoroughly tamped and bonded. The base was finished and cross-lines indicating its exact center marked upon it, and when firm enough to sustain the weight of the monument, the "form" was set up and carefully centered by means of the cross-lines, and the monument built before the final "set," thus forming the base and column into one solid mass. In the few instances where the bases were built a day or more before the monument, a large stone was set in the center of the base and allowed to project a foot or more above the surface, and the monument built around it, thus securing a firm bond.

Small Monuments.

Small monuments are also of concrete, uniform in size, 1 foot square and 2 feet high, moulded in a wooden form, without taper, and contain 1 bag (100 pounds) cement, 2 bags (200 pounds) washed, white sand. The top was finished in a similar manner to the large monuments. The letters MD cut on the east face, W. VA. on the west, and the date, 1910, on the north. The base, 2 feet square and 2 feet deep, also of concrete, and built as in the larger monuments. One bag of cement and four bags of sand, in addition to the broken stone, were used.

The "Fairfax Stone."

The "Fairfax Stone" stands at the head of the North Branch of the Potomac River. It derived its name from Thomas, Lord Fairfax, who became the proprietor of what was known as the "Northern Neck of Virginia." The original grant was made in 1663, by Charles II of England, and subsequently successively confirmed by James II and George II. The title having rested by transfers in Lord Fairfax, on the 7th of September, 1736, Commissioners were appointed, with the approval of George II, to define the boundaries of the grant, which was to be "all the land lying and situate between and within the heads of the Rivers Rappahannock and Potomac, the courses of the said rivers together with the rivers themselves." The survey of the upper part of the Potomac River was made in 1736, and at the head spring as then determined a number of trees were marked by the surveyors. A dispute arose between

Lord Fairfax and the representatives of the Colony of Vir
as to the source of the Potomac, and no further work or a
ment reached until 1746, when representatives for each
having been named, the survey was resumed and a line was
from the head of the Rappahannock to the head of the Pote
River. The trees and springs located in the former surve
1736, as the head of the Potomac having been found, the co
of the trial line was corrected and the final line run in the rev
direction from the Potomac to the Rappahannock.

Before leaving the head of the Potomac, additional trees w
marked and a stone set up, described as follows, in the note b
(still in existence) of Thomas Lewis, one of the surveyors: "(
ber 23, 1746, Returned to the spring where we made the fol
ing marks: "—" on another Beach WB WR 1746 Y3—a st
by the corner pine marked $\frac{D}{FX}$, on a Beach marked AC." T
done we bid adieu to the head spring about ½ hour after n
o'clock, our course directing to the head of Rappahannock b
ing S. 46° E. 30 poles the top of the mountain in the spr
heads on."

When Lieut. N. Michler made his survey of the meridian l
north from the Fairfax Stone in 1859, he thus describes the st
in his report. "The initial point of the work,—the Fair
Stone,—stands on the spot encircled by several small strea
flowing from springs about it. It consists of a rough piece
sandstone, indifferent and friable, planted to the depth of a f
feet in the ground and rising a foot or more above the surfa
shapeless in form, it would scarce attract the attention of
passer by. The finding of it was without difficulty, and its rec
nition and identification by the inscription Fx, now alm
obliterated by the corroding action of water and air. In or
not to disturb this stone the first observatory was built imm
diately in the rear (South) of it." Here, later, Michler built
monument, which was about 4 feet in height and made of seve
hewn stones, the upper ones being conical. The original Fairf
Stone was in existence until about the year 1883, when it w
destroyed by vandals and subsequently carried away, leaving t
Michler monument as the only marker.

The stream surveyed in the year 1736 was what has since be
designated the North Branch of the Potomac River. The sour
designated as the Fairfax Stone, is upon the divide between t
eastern and western water sheds. It is ¼ mile northerly from t
summit of the Western Maryland Railroad, which is here t
highest point on that line between Cumberland, Maryland, a
Elkins, West Virginia.

The stone is easily reached by a trail from Fairfax Statio
which is ¼ mile to the south east. The large timber all arou

has been cut by mill men and fire has destroyed the balance so that the immediate spot is now largely covered by brush and briers. The land near the Fairfax Stone is principally owned by the Davis Coal & Coke Company (in 1910).

On August 12, 1910, during the present work, a new concrete monument was built, replacing both the previous marks. The new monument stands 2 feet North of the center of the base of the Michler Monument, which point was marked by a brass bolt bedded level with surface of the ground. This rock and mark are still left in place but are not visible, and the mark is 1 foot north of the point where the original stone stood. The portion of the Michler Monument above ground was removed.

"Fairfax Stone," Restored 1910.

The base is of concrete 3½ ft. square and 2 ft. deep set flush with surface of ground. On this base the monument was built, utilizing the form which had been designed for, and was afterwards used in the construction of the monuments along the boundary from the Potomac River to the Pennsylvania line. The monument is 22 inches square at the base and 10 inches square at the top, the latter being built up a few inches and rounded off. The total height being 4 ft. and 4 inches above the base. The monument contains 3½ bags of best Portland Cement and 6½ bags of white sand. It is marked as follows: On South face Fx On North face 1910. 1746

The corners are beveled 1½ inches in width.
Latitude 39° 11′ 41.92″ Longitude 79° 29′ 15.50″.

Monument No. 1.

This monument marks the initial point of the present Boundary Survey. It is on the South bank of the North Branch of the Potomac River, 3983 feet N 0° 56′ E (true) from the Fairfax Stone. The base is 3½ ft. square and 4 ft. deep and tapers to 2½ ft. square at its top. The monument is placed diagonally on this base and is marked as follows:

On the Northeast side	$\frac{1910}{MD}$	On the Southeast side W. Va.
On the Southwest side	$\frac{No\ 1}{W.Va.}$	On the Northwest side W. Va.

It can be reached from the Fairfax Station of Western Maryland Railroad by following an old lumber tram road which goes within 100 yards of the river. From the north on Maryland side there is a bridle path leading from the County Road on Arnold's Ridge, to a point almost in sight of this monument, ¼ mile distant
Latitude 39° 12′ 21.34″ Longitude 79° 29′ 14.67″

Monday, May 27th. 1912, continued.

Monument No. 2.

Is in place of a maple tree marked "1101" which was the beginning of the Maryland Military Lot 1101. It can be reached from the county road on Arnold's Ridge by the same trail that leads to the river. It is less than ¼ mile from top of the ridge and about 1 mile west of Eli Mosser's house. The boundary line makes a slight angle to west at this point.

Latitude 39° 12′ 33.28″ Longitude 79° 29′ 14.42″

Arnold's Ridge.

A small monument on the highest point of Arnold's Ridge. It is one mile west of house of Eli Mosser and can be reached by the county road along the ridge.

Monument No. 3.

On summit of Backbone or Great Savage Mountain. The base of monument rests on the solid ledge which forms the crest of the mountain. It is reached with difficulty by an old road crossing the mountain from Eli Mossers to Sommers Mossers upon the west and is more than ¼ mile west of this trail over rough, rocky ground. It can most readily be reached from the west. There is an extended view from this summit as far north as Snaggy Mountain.

Latitude 39° 14′ 12.43″ Longitude 79° 29′ 12.65″

Stahlnaker Ridge.

A small monument about 1 mile west of Sommers Mossers, and ¼ mile southwest of county road from Gnegy Church to Breedlove.

Monument No. 4.

Just north of the Youghiogheny River and south of a county road from Gnegy Church to Breedlove. It is in the line of a Maryland land grant called Covent Garden and in property line of Wm. Bittner and Oscar Roth. It is ¼ mile south of Gnegy Church and is easily reached. The monument stands diagonally as the line here changes its course to the westward.

Latitude 39° 15′ 58.73″ Longtitude 79° 29′ 10.84″

Monument No. 5.

About 100 yards north of county road from Gnegy Church to Breedlove and in sight of road. It is in a line of the Covent Garden Survey, and is in or near property lines of Wm. Bittner, Chas. Winters, Oscar Roth and J. Stahlnaker. The monument was built

over and around a rough stone marking property corners and stands diagonally as the course of the boundary line here turns northward.

Latitude 39° 15′ 54.97″ Longitude 79° 29′ 15.69″

Monument No. 6.

On the south side of the county road from Oakland to Horse Shoe Run, 100 yards southwest of the cross roads at Gnegy Church. On or near the property line of Daniel Gnegy and Elijah Bechtel. The monument was built over and around a stone property corner which marked the beginning of the Maryland land grant called "Mount Pleasant" surveyed in 1774. The original beginning called for was a white oak tree, now gone. The stone was pointed out as said beginning by Daniel Gnegy.

Latitude 39° 16′ 31.10″ Longitude 79° 29′ 15.32″

Hamstead Hill.

A small monument on the Obed Hamstead Hill, ¾ of a mile east of the southwest prong of the Youghiogheny River and ¾ mile north of Gnegy Church. The monument is 45 feet north of an east-west wire fence and 5 feet west of a north-south line fence.

Monument No. 7.

Situated 15 feet south of center of county road from Cash Valley to the Horseshoe Run road and 1½ miles east of Eglon, West Virginia. The land on the east of monument is owned by George H. Gauer and that on the west by William Weimer.

Latitude 39° 17′ 46.83″ Longitude 79° 29′ 14.56″

Monument No. 8.

About 1½ miles northeast of Eglon, West Virginia, and 150 yards east of house of Silas Fike. This monument marks the spot where stood a large white oak tree called for in the Virginia Patent to John Pettyjohn, surveyed May 30, 1781, for 400 acres. The call being at "a white oak in the Maryland line and running—and finally to pointers in the Maryland line and with said line N. 226 poles to the beginning." This tree was blocked during the survey of 1910 and the oldest mark counted 130 years growth, the second 117 years, and the third 78 years. The block was saved. The tree was cut down and stump blown up with dynamite and replaced by the monument which now marks property holdings of Silas Fike, Amelius Fike, and Seymour Hamstead. There is an angle to the east in the boundary line at this point.

Latitude 39° 17′ 52.63″ Longitude 79° 29′ 14.50″

Monday, May 27th, 1912, continued.

Silas Fike's Ridge.

A copper bolt set in a rock flush with the ground on summit of a flat timbered ridge ¼ mile north of house of Silas Fike, who lives 1½ miles northeast of Eglon, West Virginia.

Dawson's Hill.

A small monument on wooded hill of Lloyd Dawson, about ¼ mile south of the Northwestern Pike. It is 26 feet west of north-south fence and 195 feet north of an east-west fence.

Monument No. 9.

Situated 8 miles southwest of Oakland, Maryland, in the angle formed by the Northwestern Turnpike and the county road from Eglon, West Virginia, to Oakland. The monument is 100 yards east of the Youghiogheny River and is on a slight ridge between above described roads and can be seen from them.

Latitude 39° 19′ 07.64″ Longitude 79° 29′ 13.29″

Offut's Hill.

A small monument on summit of wooded hill belonging to D. E. Offutt, ¼ mile north of the Northwestern Turnpike and 10 feet east of a north-south fence.

Stahl's Hill.

A small monument on summit of Stahl's Hill, 20 feet west of an old split rail fence running north and south and is on land owned by Peter F. Nine.

Monument No. 10.

In an open field about 300 yards south of a county road running east and west across the Youghiogheny River. The monument stands in place of a sugar tree which formerly stood here and marked a corner of the Maryland grant called "Eelshine." The place was pointed out by Peter F. Nine, who owns the property east of it. John Bittner owns the land to the west and his house is 100 yards west of the monument. The boundary line turns to the east and the monument stands diagonally.

Latitude 39° 20′ 39.47″ Longitude 79° 29′ 11.82″

Monument No. 11.

Situated 482 feet east from Monument No. 10, as there is here an offset in the line. It is in the line of Eelshine and Ashby 50 acre survey, and stands diagonally as boundary line here turns to north.

Latitude 39° 20′ 39.41″ Longitude 79° 29′ 05.68″

Monument No. 12.

Is upon the south side of the county road from Brookside, West Virginia, to Oakland, Maryland. It is about 100 feet north of the Youghiogheny River on land of Dorsey Ashby and about 100 yards southwest of his house.

Latitude 39° 21′ 04.15″ Longitude 79° 29′ 05.30″

Ashby's Hill.

A small monument on summit of a flat ridge owned by Dorsey Ashby, ¼ mile northwest of road from Brookside to Oakland, and ¼ mile northwest of Mr. Ashby's house.

Lauer Hill (South Brow).

A copper bolt set in a rock 6 by 6 by 20 inches set flush with surface of ground, on south brow of Lauer Hill ¼ mile south of house of Charles Fulks. It can be reached from the north by road and trail through the woods.

Monument No. 13.

On the summit of Lauer Hill about 6 miles southwest of Oakland, Maryland. The monument can be reached by a trail running south from a road to a coal mine near Chas. Fulk's house, which is on the north side of Lauer Hill about ¼ mile from summit. The land is covered with timber and is owned by Daniel E. Offutt.

Latitude 39° 22′ 02.42″ Longitude 79° 29′ 04.40″

Miller.

A small monument on summit of flat ridge ¼ mile north of Laurel Run, on land owned by J. S. Miller. It can be reached by road from Crellin, Maryland, which is 1¼ miles to the east.

Poling.

A small monument on a timbered ridge 1¼ miles northwest of Crellin, Maryland, and on land owned by Zach Poling. It is 120 feet south of a 2nd class road crossing the ridge.

White.

A small monument ¼ mile south of Hutton, Maryland, on northwest side of a 2nd class road and is on land owned by Charles White.

~~State of Maryland vs State of West Virginia.~~

Monument No. 14.

Is about 200 yards west of Hutton, Maryland, Statio
R. R., and close to south limit of right of way of main l
railroad. It is north of wagon road from Hutton, Ma
Corinth, W. Va., is conspicuously placed, and can be
trains as they pass. It is near lands of John A. Con
White, and Grant Felton.

Latitude 39° 25′ 08.88″ Longitude 79° 29′ 01.5

Morris-Connell.

A small monument on summit of flat ridge cleared
and timbered on east. It is ½ mile north of Hutton,
and is on land owned by George Morris on the west
Connell on the east.

Monument No. 15.

About 1½ miles north of Hutton, Maryland, or Corin
Virginia, and can be reached by road from Corinth. T
ment is on cleared land owned by Dennis Glover. T
slight deflection of the boundary line to the westward
point.

Latitude 39° 26′ 07.60″ Longitude 79° 29′ 00.63″

Severe.

A small monument on north side of county road 2 mi
of Corinth, West Virginia. On land owned by John M. B

Browning.

A small monument on summit of a flat wooded ridg
by John M. Browning, 2½ miles north of Corinth, West

Camp Rocks.

A copper bolt set in a hole drilled in top of and near th
east corner of a rocky bluff on south slope of Snaggy M
700 feet south of old Burchinal road. Stones are piled
and over the bolt. From this point, Glover's Hill, B
Mountain, and other distant points southward can be see

Burchinal.

1st. A small monument on top of a large flat rock 20 fe
of old Burchinal road which crosses Snaggy Mountain n
place.

2nd. A copper bolt set in solid rock 350 feet north of th
monument described above.

3rd. A copper bolt set in solid rock 1400 feet north o
monument described above.

Monument No. 16.

On one of the main summits of Snaggy Mountain about 1281 feet east of the "Fairfax Meridian," and 75 yards from a rough road to fields on top of mountain. It can be reached from the Burchinal Road, which comes out at White Oak Spring on the road to Terra Alta.

Latitude 39° 29′ 07.98″ Longitude 79° 28′ 59.11″

Monument No. 17.

Is on the very high north summit or brow of Snaggy Mountain and is one of the highest points along the boundary line, being about 3070 feet above mean sea level. It can be reached either from a trail which crosses through the gap between Monuments 16 and 17, or from the Cranesville-Oakland road above Brownings Lake, or by climbing the steep side of the mountain just south of Pine Swamp.

Latitude 39° 29′ 50.50″ Longitude 79° 28′ 58.75″

Teets.

A small monument on north side of county road which crosses Pine Swamp about 3 miles south of Cranesville, West Virginia. The monument is about 1000 feet south of house of Eugene Teets.

Monument No. 18.

On the north side of the county road from Cranesville, West Virginia, to Oakland, Maryland, and is about 3 miles south of Cranesville, 100 yards east of house of Eugene Teets, and west of Muddy Creek, and on the edge of Pine Swamp, which has here been drained.

Latitude 39° 31′ 38.50″ Longitude 79° 28′ 57.84″

Monument No. 19.

Is about 2½ miles southeast of Cranesville, West Virginia, and is on the western edge of the Pine Swamp about 100 yards from solid ground. The foundation of the monument rests on hard sand 4 feet below the surface. The timber and brush near the monument are mostly dead or burnt. The land is owned by Hiram Ringer. The monument is set diagonally as the line turns abruptly east.

Latitude 39° 31′ 53.95″ Longitude 79° 28′ 57.71″

Monument No. 20.

Near the middle of Pine Swamp about 3 miles southeast of Cranesville, West Virginia, ½ mile west of house of John H.

Monday, May 27th. 1912. continued

Sommers and 50 feet west of Muddy Creek. The base of the monument is 4 feet square and 6 feet deep, resting on a sticky clay. The surface of the swamp near this monument is very soft and all material had to be drawn by men on a sled for a distance of 200 yards. The land is owned by Hiram Ringer, and the adjoining land to the east by John H. Sommers. The Monument is set diagonally.

Latitude 39° 31′ 54.05″ Longitude 79° 28′ 45.32″

Monument No. 21.

One mile east of Cranesville, West Virginia, in a small ravine, and is on property line between M. H. Frankhouser and E. F. Jenkins at the Northwest corner of Maryland Military Lot 1402, at the end of 2nd line. It is 200 yards northwest of M. H. Frankhouser's house, 50 yards west of county road and on northeast side of Pine Swamp. The Monument stands diagonally as the line turns to the east.

Latitude 39° 33′ 08.69″ Longitude 79° 28′ 44.85″

Monument No. 22.

Is 53.69 feet eastward from Monument No. 21 in the same ravine, and about 100 feet west of the county road. It stands in the 2nd line of lot 1402 and is also on the property line between Frankhouser & Jenkins. The Monument stands diagonally as the boundary line turns northward again.

Latitude 39° 33′ 08.68″ Longitude 79° 28′ 44.16″

Monument No. 23.

Is about 1 mile east of Cranesville, West Virginia, 80 feet north of county road from that place to Sang Run, Maryland. It is on a bank above a large spring and is on cleared land owned by J. G. Elsey, and is 50 yards north of house of E. F. Jenkins.

Latitude 39° 33′ 22.93″ Longitude 79° 28′ 44.03″

Elsey's Hill.

A small monument on summit of flat cultivated ridge, 1 mile east of Cranesville, on land owned by J. G. Elsey, and ¼ mile north of house of E. F. Jenkins.

Latitude 39° 33′ 34.93″ Longitude 79° 28′ 43.92″

Strauser Road.

A small monument on north side of road from Cranesville, West Virginia, to Sang Run, Maryland, about 1¼ miles northeast of Cranesville and on land owned by Samuel A. Strawser.

Fike's Mountain (South Brow).

A small monument on South Brow of Fike's Mountain, 2 miles northeast of Cranesville. It can be reached by a rough road through the woods.

Monument No. 24.

On summit of Fike's Mountain 2¼ miles northeast of Cranesville, West Virginia. It can be reached by a rough trail through the woods from a wagon road which crosses the mountain ½ mile west of Monument. The summit of the mountain is comparatively flat and no distant large monuments can be seen. The small monument on the south brow is visible as well as small monument on north brow.

Latitude 39° 34′ 49.21″ Longitude 79° 28′ 43.23″

Fike's Mountain (North Brow).

A small monument on the north brow of Fike's Mountain, 1041.56 feet northward from Monument No. 24. It is 2¼ miles northeast of Cranesville and ½ mile northeast of county road, which crosses Fike's Mountain ½ mile west of this point.

Monument No. 25.

On a timbered flat ridge north of White Rock Run near southeast corner of John A. Reckard's land and ½ mile south of his house. It is in the woods 100 yards from private road from the Cranesville road to Reckard's house.

Latitude 39° 36′ 06.30″ Longitude 79° 28′ 42.51″

Reckard Road.

A small monument 30 feet south of a second class road through the woods near house of John A. Reckard about 6 miles west of Friendsville, Maryland.

Herbert Friend's Ridge.

A small monument on summit of flat ridge partly covered with timber and brush, owned by Herbert Friend, and is ½ mile southeast of his house. It is 6 miles southwest of Friendsville.

Monument No. 26.

On north side of county road from Keeler Glade to Friendsville and is 5 miles southwest of latter place. It is on land of Sherman Friend, about 100 yards northeast of his house.

Latitude 39° 37′ 47.35″. Longitude 79° 28′ 41.57″.

Sherman Friend's Hill.

A small monument on summit of a flat cleared hill, owned by Sherman Friend, who lives 300 yards to southwest. It is 5 miles southwest of Friendsville, Maryland.

Melville Friend's Hill.

A small monument on summit of flat cleared hill owned by Melville G. Friend, who lives 5½ miles west of Friendsville, Maryland, and 300 yards west of monument. A road crosses the hill 200 yards west of monument, and another is at foot of hill 300 yards to north of it.

Monument No. 27.

On north side of county road near Mrs. Marshall Friend's house, about 5 miles west of Friendsville, Maryland. It is on south edge of a cleared field bordering the county road and is on south property line of Mrs. Marshall Friend. It is in the Henry Deal surveys. The monument stands diagonally as boundary line has offset to east.

Latitude 39° 38′ 32.37. Longitude 79° 28′ 41.16″.

Monument No. 28.

This monument is 347.3 feet eastward from Monument No. 27, and the same description applies to it. It also stands diagonally as boundary line here turns northward.

Latitude 39° 38′ 32.40″. Longitude 79° 28′ 36.72″.

Monument No. 29.

Is north of a wagon road through land of Jere Teets, and is about ¼ mile southeast of his house, and 5 miles west of Friendsville, Maryland.

Latitude 39° 38′ 58.92″. Longitude 79° 28′ 36.92″.

Jere Teets' Ridge.

A small monument on a flat cultivated ridge sloping to the east, owned by Jere Teets, and is 150 yards east of his house, which is 5 miles west of Friendsville, Maryland. It is a few feet north of an east-west private road.

L. Dedrick's Ridge.

A small monument on a flat, cleared ridge, owned by L. Dedrick. It can be reached from county road on the west by leaving that road near Chestnut Avenue Church and going eastward past house of Joshua Fike.

Monument No. 30.

On summit of Evans Hill, 1 mile west of Fearer Postoffice, Maryland, and 150 yards south of the county road from Fearer to Chestnut Avenue Church. The monument is on cultivated land owned by Hosea Thomas, who lives 200 yards to the west.
Latitude 39 40' 15.92". Longitude 79 28' 37.50".

Monument No. 31.

On north side of county road from Friendsville, Md., to Hazelton, West Va., and is 1 mile west of Fearer, Md. It is 100 yards west of house of A. J. Thomas and on line dividing his property from that of Hosea Thomas.
Latitude 39° 40' 26.10". Longitude 79° 28' 37.58".

Monument No. 32.

Is ¼ mile southeast of house of Geo. W. Vansickle, and is nearly the same distance southwest of W. M. Fike's house, and about 5 miles west of Selbysport, Maryland. The monument stands in place of a large Spanish Oak tree, which was removed during the survey in 1911. This tree was corner of property of John Van Vansickle, George W. Vansickle, on the west, and in a line of W. Marshall Fike on the east. The land is cleared and the boundary line makes a slight deflection angle to the east. The monument is marked "Span Oak" in addition to other inscriptions.
Latitude 39° 41' 14.28". Longitude 79° 28' 37.94".

F. T. Fike's Ridge.

A small monument in a field owned by F. T. Fike 200 yards east of a road leading from George Vansickle's place to Selbysport, Maryland.

Monument No. 33.

On north side of county road leading towards Selbysport, Maryland, and is about 5 miles west of that place. It is on line between cleared land owned by James McDermott and Isaiah Umble.
Latitude 39° 42' 06.58". Longitude 79° 28' 37.84".

Thomas' Ridge.

A small monument on cleared flat ridge owned by M. M Thomas on the west and by Joseph Thomas on the east. It is 300 yards northwest of house of Joseph Thomas and ¼ mile south of Pennsylvania State Line.

Monument No. 34.

At the intersection of the Md.-W. Va. boundary line from the south with the Pennsylvania state line. It is 2 miles southwest

of Markleysburg, Pennsylvania, ¼ mile east of point where the pike to that place crosses the Penna. line, and ¼ mile northeast of house of M. M. Thomas. It is 1051 feet westward from the Mason & Dixon mound in which a stone monument marked, "55.2 M 1885," was set by survey made in 1885 by the states of Pennsylvania and West Virginia.

Monument 34 is 40 feet south of oil pipe line, which runs through Pennsylvania near its southern boundary, and is ¼ mile west of a metal gate house of this pipe line. It is in the straight line between Monuments of 1885 numbered 55.2 M and 54.2 M; the latter being 4276 feet to the westward and in center of a Mason & Dixon mound. The land south of Monument No. 34 is owned by M. M. Thomas. The monument sets square and is marked the same as others, excepting that on the north face are the letters PA above the date 1910.

Latitude 39° 43′ 15.88″. Longitude 79° 28′ 37.72″.

TABLE No. 1.

Horizontal Distances from Monument No. 1,—Distances Between Monuments,—True Bearings,—Magnetic Bearings and Approximate Elevations Above Mean Sea Level.

Monument name or number.	Horizontal distances from mon. No. 1.	Distances between monuments.	True bearings.	Magnetic bearings October 1, 1910	Approximate elevation above mean sea level
	(*Feet.*)	(*Feet.*)	° ′ ″	° ′	
Fairfax	3089.13				3102 ft.
		3089.13	S. 0 56 00 W.		
1	0000.00				2721 "
		1208.55	N. 0 56 00 E.		
2	1208.55				2804 "
		767.94	N. 0 47 53 E.	N. 4 40 E.	
Arnolds Ridge	1976.49		"	"	3103 "
		9265.63			
3	11242.12		"	"	3343 "
		6804.26	"	"	
Stahlnaker Ridge	17906.38		"	"	2778 "
		3587.76			
4	21494.14				2480 "
		402.15	N. 71 48 00 W.		
5	21896.29				2526 "
		3655.65	N. 0 37 04 E.	N. 4 19 E.	
6	25551.94				2523 "
		4062.94	"	"	
Hamsteads Hill	29604.88				2575 "
		3610.43	"	"	
7	33215.31				2512 "
		587.40	"	"	
8	33802.71				2535 "
		1371.44	N. 0 42 57 E.	N. 4 38 E.	
Silas Fike Bolt in rock	35174.15				
		2450.09	"	"	2508 "
Dawson's Hill	37624.24				
		3568.81	"	"	2548 "
9	41193.05				
		1391.72	"	"	2441 "

Monday, May 27th. 1912, continued

Table No. 1—Continued

Monument name or number	Horizontal distance from mon. No. 1	Distances between monuments	True bearings	Magnetic bearings October 1 1912	Altitude above mean sea level
Offuts Hill	42784 77				2558 ft
		5280.81	N. 0 42 37 E.	N 4 38 E	
Stahl's Hill	48065 58				2767 "
		2921 23	"	"	
10	50986 81				2464 "
		482 30	S. 89 17 03 E.		
11	51469 11				2444 "
		2968 67	N. 0 41 02 E.	N. 4 42 E	
12	54437 78				2439 "
		1188.10	"	"	
Ashby's Hill	54860 88				2617 "
		3221 20	"	"	
Lauer Hill Bolt in rock	58082 08				2807 "
		1386 99	N. 0 41 02 E.	N. 4 42 E	
13	59469 07				2857 feet
		7605.82	"	"	
Miller	67074.89				2619 "
		3042 91	"	"	
Poling	70117.80				2634 "
		5274.19	"	"	
White	75391 99				2413 "
		3047.23	"	"	
14	78439 22				2470 "
		2405 81	"	"	
Morrie-Connell	80845 03				2548 "
		3926 24	"	"	
15	84771 27				2587 "
		4873 83	N. 0 22 27 E.	N. 4 34 E.	
Severe	89645.10				2590 "
		1713 46	"	"	
Browning	91358 56				2622 "
		7280 65	"	"	
Burchinal road	98240 21				2720 "
		4386 10	"	"	
16	102626 31				2920 "
		4302.13	"	"	
17	106928 44				3072 "
		9976 18	"	"	
Teet's Road	116904 62				2572 "
		953 38	"	"	
18	117858.00				2572 "
		1563 97	"	"	
19	119421 97				2572 "
		971 09	N. 89 27 27 E.		
20	120392.06				2572 "
		7553 36	N. 0 17 00 E.	N. 4 29 E.	
21	127945 42				2575 "
		53 69	S. 89 43 00 E		
22	127999.11				2575 "
		1441 92	N 0 24 42 E.	N 4 48 E	
23	129439 98				2720 "
		1218 70	"	"	
Riley's Hill	130664 63				2788 "
		2696 96	"	"	
Strawser Road	133361.59				2494 "
		3958.8[illegible]	"	"	

Table No. 1—Continued.

Monument name or number	Horizontal distances from mon. No. 1	Distances between monuments.	True bearings	Magnetic bearings (variation 1 1/2°).	Approximate elevation above mean sea level.
Fike's Hill—South brow	137220.55				2802 feet
24	138181.57	961.02	N. 0 24 42 E.	N. 4 48 E.	2807 "
Fike's Hill—North brow	139223.13	1041.56	"	"	2843 "
25	145983.20	6760.07	"	"	2882 "
Near Reckart road	150004.24	4021.04	"	"	2944 "
H. Friend	153138.74	3134.50	N. 0 24 42 E.	N. 4 48 E.	2979 "
26	156208.90	3070.16	"	"	2993 "
Friends Hill	156777.81	568.91	"	"	2991 "
M. O. Friend	159773.78	2995.97	"	"	2990 "
27	160764.91	991.13	"	"	2999 "
28	161112.22	347.31	N. 89 25 12 E.		2991 "
29	163795.03	2682.81	N. 0 29 07 W.	N. 4 10 E.	2993 "
Jer. Teets	165288.07	1493.04	"	"	2982 "
L. Dedrick	167699.73	2411.66	"	"	2931 "
30	171587.22	3887.49	"	"	2999 "
31	172618.44	1031.22	"	"	2944 "
32	177493.39	4874.95	"	"	2937 "
F. T. Fike	180564.36	3070.97	N. 0 04 55 E.	N. 4 38 E.	2937 "
33	182785.85	2221.59	"	"	2989 "
Thomas	187335.08	4549.13	"	"	2991 "
34	189798.97	2463.89	"	"	2921 "

TABLE No. 2

Magnetic Bearings Between Monuments on the Maryland-West Virginia Boundary Line from the Potomac River to the Pennsylvania line, for October, 1910

NOTE: The original observations were reduced at the office of the Coast and Geodetic Survey, Washington, D. C., by courtesy of the Superintendent of that Bureau

Monuments Nos.	True bearing.	Magnetic bearing.	Magnetic declination.	Number of observations
2-4	N. 0° 47′ 53″ E.	N. 4° 40′ E.	3° 52′ W.	20
5-7	N. 0° 27′ 04″ E.	N. 4° 19′ E.	3° 52′ W.	7
8-10	N. 0° 42′ 57″ E.	N. 4° 38′ E.	3° 55′ W.	8
11-15	N. 0° 41′ 02″ E.	N. 4° 42′ E.	4° 01′ W.	6
15-18	N. 0° 22′ 27″ E.	N. 4° 34′ E.	4° 12′ W.	13
20-21	N. 0° 17′ 00″ E.	N. 4° 29′ E.	4° 12′ W.	2
23-27	N. 0° 24′ 42″ E.	N. 4° 48′ E.	4° 23′ W.	5
28-32	N. 0° 20′ 07″ W.	N. 4° 10′ E.	4° 30′ W.	5
32-34	N. 0° 04′ 55″ E.	N. 4° 38′ E.	4° 33′ W.	3

If values for shorter intervals are desired, it will probably be best to obtain them by interpolating the declination. The value for the line between Nos. 20 and 21 is probably less reliable than the others, as it depends upon only two results which differ by 10′.

We return herewith a financial statement showing in detail the money actually expended by the Commissioners for surveying and marking the boundary line under the decree in this case, including the per diem compensation of all the Commissioners. We also return herewith the several exceptions made and filed before the Commissioners by Mr. W. McCulloh Brown, one of the Commissioners, during the progress of the work, together with such explanations, observations and notes as we have thought proper to make concerning said exceptions for the information of the court.

Monday, May 29th, 1912, continued

We also return herewith a number of photographs taken upon the ground illustrating the monuments erected by us to mark the line as run by us, showing the character of the work, method of construction and location of such monuments.

Respectfully submitted,

JULIUS K. MONROE,
SAMUEL S. GANNETT,
Commissioners.

And this cause coming on this day to be heard upon said motion and upon the said report of Julius K. Monroe and Samuel S. Gannett, and upon the separate report of W. McCulloh Brown, one of the said Commissioners, including his protest and exceptions in respect to said report of Commissioners Monroe and Gannett, and also upon the supplemental report filed by said Commissioners Monroe and Gannett; and the Court being now fully advised in the premises:

It is thereupon adjudged, ordered and decreed that the said exceptions filed on behalf of the State of Maryland as aforesaid, to said report of Commissioners Julius K. Monroe and Samuel S. Gannett, be, and they are, hereby overruled, and that said report be, and the same is, hereby in all respects confirmed.

It is further adjudged, ordered and decreed that the line as delineated and set forth in said report of Commissioners Monroe and Gannett, and upon the map accompanying the same and referred to therein, which line has been marked with permanent monuments, as stated in said report, be, and the same is hereby, established, declared and decreed to be the true boundary line between the said States of Maryland and West Virginia, and said map is hereby directed to be filed as part of this decree.

And it appearing that the total expenses and compensation of said Commissioners and the expenditures attending upon the discharge of their duties amount to the sum of $17,154.60, it is further adjudged, ordered and decreed that the same be, and they are, hereby approved and allowed as part of the costs of this suit, to be borne equally between the parties to this cause. And it appearing from said report that the State of Maryland has already paid $5,038.40 of said amount, and that the State of West Virginia has already paid $12,116.11 of said amount, it is ordered that said amounts be credited to said States respectively in the settlement of the costs of this suit between them in accordance with the provisions of this decree and the former decrees entered herein.

It is further adjudged, ordered and decreed that the Clerk of this Court do transmit to the chief magistrates of the States of Maryland and West Virginia copies of this decree, duly authenticated under the Seal of this Court, omitting from said copy, however, the map filed with the report of said Commissioners Monroe and Gannett above mentioned.

Per Mr. Chief Justice White

Four hundred and forty-three bags of Frozen Egg Product, H. J. Keith Co., Claimant,
1034. vs. Apl't & Plff in Error,
The United States of America

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on Tuesday, October 15th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White.

The United States of America et al.,
1133. vs. Appellants,
Baltimore & Ohio South-western Railroad Co. et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 15th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White.

Susan J. Taylor as Administratrix, etc.,
1065 vs. Plaintiff in Error,
Eudora E. Taylor.

On consideration of the motion to advance this cause, & is now here ordered by the Court that said motion be, and

assigned for arguments on Tuesday, October 15th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

547. El Paso & Southwestern Railroad Co., vs. Eichel & Weikel. Plaintiff in Error. It is ordered by the Court that this cause be placed on the summary docket for hearing at the next term.

Per Mr. Chief Justice White

606. The Singer Manufacturing Co., vs. Wirt Adams, State Revenue Agent of Mississippi, et al. Appellant. It is ordered by the Court that this cause be placed on the summary docket for hearing at the next term.

Per Mr. Chief Justice White

53. The Lincoln Gas & Electric Light Co., vs. The City of Lincoln et al. Appellant. On consideration of the motion to re-tax the costs in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said motion be

and the same is hereby, denied.

Per Mr. Chief Justice White

237 Samuel Lock, Plaintiff in Error, vs. The State of Georgia. On consideration of the motion to vacate the judgment of dismissal entered herein on April 25th, 1912 and to reinstate the cause upon the docket, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

1127. The City & County of Denver et al., Petitioners, vs. The New York Trust Co. et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

1125. The City and County of Denver et al. Petitioners. vs. The Denver Union Water Co., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief-Justice White

1126. The United States, Petitioner, vs. Twenty-four Packages of Panama Hats, Maximo Castillo, Claimant.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief-Justice White

641. M. Anderson, vs. The Pacific Coast Steamship Co., Claimant of the Steamship "Queen" etc. On consideration of the petition for a writ of certiorari herein to bring up the entire record and cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

642. N. Jordan, vs. The Pacific Coast Co., Claimant of the Steamship "Umatilla" etc. On consideration of the petition for a writ of certiorari herein to bring up the entire record and cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby denied

Per Mr. Chief Justice White.

1080. W. A. Staley and J. N. Barnsdall, composing the Firm of Staley & Barnsdall, Petitioners vs. W. L. Dersden. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit

of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1105. The United States of America ex rel. Ben B. Jones, Petitioner, vs. Walter L. Fisher, Secretary of the Interior. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1106. Paul A. Primeau, Petitioner, vs. Olive L. Granfield as Executrix of Horace Granfield, deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ

of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had as well in support of, as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby denied.

per Mr. Chief Justice White.

Hygienic Fleeced Underwear Co., Petitioner.
vs.
Phoenix Knitting Works and Bradley Knitting Co. 1110

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby denied

per Mr. Chief Justice White.

The Louisville & Nashville Railroad Co., Petitioner.
vs.
J. E. Helms. 1119

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1124.

1121. Marx & Rawolle, et al., Petitioners. vs. The United States. On petition for writ of certiorari to the United States Court of Customs Appeals.

On consideration of the petition for a writ of certiorari herein to the United States Court of Customs Appeals, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby denied.

Per Mr. Chief Justice White.

1122. The German Bank of Carroll County, Iowa, and John P. Hess, Petitioners. vs. George C. Ball, Receiver of the First National Bank of Carroll, Iowa. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

1126.

On consideration of the petition for a writ

of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

A. W. Lawton,
vs. Petitioner.
N. Leslie Carpenter, Joseph N. Carpenter, Atmore N. Baggot, and Sterrett Tate, partners, under the name of Carpenter, Baggot & Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

George Rourkous,
vs. Petitioner.
The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circ

of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr Chief Justice White.

1133. Edward H. Hanee and Anthony M. Hanee, trading as Hanee Brothers & White, Petitioners. vs. The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. 1143.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1144.

1107. W. Schneider Wholesale Wine & Liquor Co., Appellant, vs. August Diederich

It is ordered by the Court that the further consideration of the petition for a writ of certiorari herein, be, and the same is hereby, postponed until the hearing of the cause on the merits.

The Chief Justice announced that the Court will adjourn today until Friday, June 7, when petitions for writs of certiorari and motions will be received. The Court will then adjourn until Monday, June 10, when it will adjourn for the term. No petitions for writs of certiorari or motions, except motions for admission, will be received on that day, except for good cause shown.

The Merchants & Miners Transportation Co., Petitioner.
vs.
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Samuel B. Adams and Mr. Daniel H. Hayne in support of the same, and leave was granted Mr. Solicitor General Lehmann to file a brief in opposition thereto within two days, and to counsel for the petitioner to reply thereto within three days thereafter.

W. B. Quainlance, Petitioner,
vs.
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Wade H. Ellis, Mr. John A. Kratz, Jr., and Mr. Albert H. Washburn in support of the same, and by Mr. Solicitor General Lehmann and Mr. Assistant

United Railroads of San Francisco,
858. vs. Petitioner.
City and County of San Francisco et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William M. Abbott and Mr. Joseph D. Redding in support of the same, and by Mr. Percy V. Long in opposition thereto. 844.

Philadelphia, Baltimore and Washington Railroad Co.,
547. vs. Plaintiff in Error,
Theodore A. Schubert.

On motion of Mr. John A. Kratz, Jr., of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

Actieselskabet "Jason,"
220. vs.
John Arbuckle et al.

On motion of Mr. John Spalding Flannery, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

James A. Murray, doing business as The Pocatello Water Co.,
1013. vs. Plaintiff in Error,
The City of Pocatello.

The motion to affirm in this cause was submitted to the consideration of the Court on the record and [illegible]

arguments by Mr. A. B. Browne, Mr. Alexander Britton and Mr. Evans Browne, of counsel for the defendant in error, in support of the motion, and by Mr. A. A. Hochling, Jr., and Mr. Norman M. Ricks, of counsel for the plaintiff in error in opposition thereto.

Arthur Hirsh et al., Appellants, vs. J. W. Taylor et al., etc.

On motion of Mr. D. W. Brown, of counsel for the appellees, it is ordered by the Court that this cause be, and the same is hereby, advanced under the thirty-second rule, and the cause was submitted pursuant thereto on the record and printed arguments by Mr. John H. Holt, of counsel for the appellants, and Mr. D. W. Brown, of counsel for the appellees.

Proclamation being made, the Court is ad-

Friday, June 7th. 1912.

Pursuant to adjournment, the Cou
day at the Capitol

(Present:

The Honorable Edward D. White, C
Joseph McKenna
Oliver Wendell Hol
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devante
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire,
James H. McKenne

Proclamation being made, the Cour

On motion first made to the Court
half by Mr. A. B. Browne, it is ord
A. L. C. Atkinson, Esquire, of Honolu
of Hawaii, be admitted to practice a
ney and counsellor of this Court, an
sworn accordingly.

On motion first made to the Court i
by Mr. Francis V. S. Oliver, Jr., it is or
Charles V. Halley, Jr., and Frank W.
quires, of New York City, be admitte
tice as attorneys and counsellors of
and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Merrel P. Callaway, it is ordered that F. W. Gwathmey, Esquire, of Louisa, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Beckwith, it is ordered that William A. Sexton, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Duncan U. Fletcher, it is ordered that D. E. Knight, Esquire, of Starke, State of Florida be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Martin A. Morrison, it is ordered that Thomas A. Daily, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by the Solicitor General Lehmann, it

of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

512. Thomas H. Pickford and John H. Walter, Appellants, vs. Henry M. Talbott. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney

204

179. Westinghouse Electric & Manufacturing Co., Petitioner, vs. Wagner Electric Manufacturing Co. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United

States Circuit Court of Appeals in this cause, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, ~~reversed with costs; and that the same is hereby~~, remanded to the District Court of the United States for the Eastern District of Missouri, with power to hear and determine motions to amend the pleadings and with directions that the cause be recommitted to a Master for a new hearing on all the questions involved in the original reference, and, on evidence already submitted and such additional testimony as may be offered, for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Lamar.

J. L. Murphy, Plaintiff in Error,
vs.
The People of the State of California.

In Error to the Superior Court of Los Angeles County, State of California.

This cause came on to be heard on the transcript of the record from the Superior Court of Los Angeles County, State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, affirmed with costs.

219. D. L. Henderson, Trustee in Bankruptcy of Joseph Burns, Bankrupt, Petitioner vs. Sam Mayer. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Georgia.

Per Mr. Justice Lamar

156

716. The Atchison, Topeka & Santa Fe Railway Co., Plaintiff in Error, vs. The United States. In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same

157

is hereby, affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Kansas.

Per Mr. Justice Lamar.

Albert W. Shulthis, Appellant, vs. D. A. McDougal, Edmond McKay, Perry McKay, The Kiefer Oil & Gas Co., and George Franklin Berryhill — Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Van Devanter.

George Franklin Berryhill, Appellant, vs. Albert W. Shulthis, D. A. McDougal, Edmond McKay, Perry McKay and The Kiefer Oil & Gas Co. — Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript

of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Van Devanter

234. The Eastern Cherokees, Appellants, vs. The United States. Appeal from the Court of Claims.

65.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Van Devanter

137. David Lupton's Sons Co., Plaintiff in Error, vs. Automobile Club of America. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and

adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the District Court of the United States, with directions to enter judgment in favor of the plaintiff for $709.52, with interest from the date of the commencement of the action

Per Mr. Justice Hughes

Marion W. Savage, Appellant, v. William J. Jones, Jr., State Chemist of the State of Indiana. Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Indiana.

Per Mr. Justice Hughes

Friday, June 7th, 1912, continued

134	Louis Zeckendorf, Appellant, vs. Albert Steinfeld, J. N. Curtis, R. K. Shelton et al.	Appeals from the Supreme Court of the Territory of Arizona.
144	Albert Steinfeld, J. N. Curtis R. K. Shelton et al., Appellants, vs. Louis Zeckendorf and Silver Bell Copper Co.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the Supreme Court of the Territory of Arizona in this cause in so far as it affirms the judgment of the District Court on the first cause of action be, and the same is hereby, reversed; and in so far as it affirms the judgment of said District Court on the second cause of action be, and the same is hereby, affirmed, costs in this Court to be paid by Steinfeld et al.; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona for such further proceedings as may not be inconsistent with the opinion of this Court.

Per Mr. Justice Day.

Low Wah Suey, and Li A. Sim (Mrs. Low Wah Suey), vs. Samuel W. Backus, Commissioner of Immigration, Port of San Francisco — Appellants, — Appeal from the District Court of the United States for the Northern District of California.

169

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

Roscoelle E. Messinger, vs. Peter Anderson. — Petitioner. — On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

150.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and

that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Ohio for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Holmes.

761. City of Louisville, Appellant, vs. Cumberland Telephone & Telegraph Co. } Appeal from the Circuit Court of the United States for the Western District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, without prejudice; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Kentucky for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Holmes.

The Interstate Commerce Commission and The United States, vs. The Baltimore & Ohio Rail-road Co., the Pennsylvania Railroad Co., et al. Appellants,

Appeal from the United States Commerce Court.

314

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Commerce Court with directions to dismiss the petition

Per Mr. Justice McKenna.

Archer Johnson vs. Petitioner, The United States.

On writ of certiorari to the Court of Appeals of the District of Columbia

1075.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said

same is hereby, affirmed.

Per Mr. Justice McKenna

113. J. Wesley Glasgow, Appellant, vs. William A. Moyer, Warden of the United States Penitentiary at Atlanta, Ga. Appeal from the District Court of the United States for the Northern District of Georgia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna

903. The Railroad Commission of the State of Mississippi et al., Appellants, vs. Louisville & Nashville Railroad Co. Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mi-

issippi, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Mississippi.

Per Mr. Chief Justice White.

887 R. J. Darnell, (Incorporated) Plaintiff in Error, vs. Illinois Central Railroad Co. and Yazoo & Mississippi Valley Railroad Co. In Error to the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Tennessee.

780 The Procter & Gamble Co., Appellant, vs. The United States of America, The Interstate Commerce Commission, The Cincinnati, Hamilton & Dayton Railway Co., et al

Appeal from the United States Commerce Court

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Commerce Court with directions to dismiss the petition for want of jurisdiction

Per Mr. Chief Justice White

774

773 James J. Hooker and Ezra E. Williamson, respectively President and Secretary of the Receivers' and Shippers' Association of Cincinnati, Ohio, et al., Appellants, vs. Martin A. Knapp et al., as members composing the Interstate Commerce Commission; The Interstate Commerce Commission, The Cincinnati, New Orleans & Texas Pacific Ry. Co. and The United States of America.

Appeal from the United States Commerce Court.

This cause came on to be heard

script of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby remanded to the said Commerce Court with directions to dismiss the petition for want of jurisdiction.

Per Mr. Chief Justice White.

The Eagle White Lead Co., The Peters Cartridge Co. et al., Appellants, vs. The Interstate Commerce Commission, The Cincinnati, New Orleans & Texas Pacific Railway Co., and The United States of America. Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Commerce Court with directions to dismiss the petition

870. Evan B. Rosenbrans, Plaintiff in Error, vs. The State of Rhode Island. In Error to Superior Co the State of Island.

This cause came on to be heard on the script of the record from the Superior C the State of Rhode Island and on mot dismiss or affirm which was argued b sel. On consideration whereof, It is no ordered and adjudged by this Court t the judgment of the said Superior Court this cause be, and the same is hereby, af with costs.

Per Mr. Chief Justice W

888. United Railroads of San Francisco, Petitioner, vs. City and County of San Francisco et al. On petition f writ of certio to the United States Circuit of Appeals for Ninth Circuit

On consideration of the petition for a w certiorari herein to the United States Cir Court of Appeals for the Ninth Circuit, a of the argument of counsel thereupon ha well in support of as against the same, It now here ordered by this Court that the petition be, and the same is hereby, denie

Per Mr. Chief Justice W

1143	The Merchants & Miners Transportation Co., Petitioner vs. The United States.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1144	W. B. Quintanee, Petitioner. vs. The United States	On petition for writ of certiorari to the United States Court of Customs Appeals.

On consideration of the petition for a writ of certiorari herein to the United States Court of Customs Appeals, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1015 James A. Murray, doing business as The Pocatello Water Co., vs. Plaintiff in Error, The City of Pocatello

It is ordered by the Court that this cause be placed on the summary docket for hearing at the next term.

1156

Per Mr. Chief Justice White.

1169 William McCoach, Collector of Internal Revenue, vs. Petitioner. Minehill & Schuylkill Haven Railroad Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Solicitor General Lehmann in support of the same.

1141

1170 Kate C. Archer, vs. Petitioner. The Greenville Sand & Gravel Co. et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by J. M. Miller in support of the same

1157

830 Henry F. Samstag, et al., vs. Petitioners, George Frost Co., et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John S. Seymour in support of the

Mr. Horace A. Dodge in opposition thereto.

Aetna Life Insurance Co. of Hartford, Connecticut, vs. Petitioner. Benjamin Lucas Outlaw. The petition for a writ of certiorari herein was submitted to the consideration of the Court

Mr. Levi H. David in support of the same.

The Fred W. Wolf Co., vs. Petitioner, The Mt. Vernon Refrigerating Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Ernest Wilkinson, Mr. Frank H. Scott, Mr. Edgar A. Bancroft and Mr. John E. MacLeish in support of the same, and by Mr. J. B. Vaughts and Mr. Murray Season in opposition thereto.

The Order of St. Benedict of New Jersey, vs. Petitioner. Albert Steinhauser, Individually, etc. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Frank W. Arnold and Mr. J. Warren Greene in support of the same.

1163 Vicksburg, Shreveport & Pacific Railway Co., Petitioner, vs. Annie May Rogers et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. M. P. Callaway in behalf of Mr. J. Blanc Monroe and Mr. Joseph Hirsh in support of the same.

1164

1165

1166 Degrasse Paper Co., Petitioner, vs. American Sulphite Pulp Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Henry Schreiter in support of the same.

1166.

Ex parte: In the matter of America Capo, Criminal. Petitioner. Mr. Frederic D. McKenney and Mr. Francis H. Dexter, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus in this cause.

1167

1169 John C. Mackay, vs. Ucila Development Co. Mr. Frederic D. McKenney in behalf of Mr. Hiram E. Booth, of counsel for Mackay, submitted to the consideration of the Court a petition for a writ of certiorari to bring up the whole record and

The Steamship "Good Hope,"
J. Harding, Claimant.
vs. Petitioner
Chelsea Fibre Mills.

The Steamship "Good Hope"
Edward N. Norton et al.
Claimants.
vs. Petitioners
Robert Balfour et al. etc.

The Steamship "Good Hope,"
Edward N. Norton et al
Claimants,
vs. Petitioners.
Henry P. Winter et al, etc.

The petition for writs of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederic D. McKenney in behalf of Mr. J. Parker Kirlin in support of the same, and by Mr. Douglas Campbell, of counsel for the respondent in No. 1164, and Mr. George Whitefield Bells, Jr., of counsel for the respondents in Nos. 1165 and 1166, in opposition thereto.

Giuseppe Morello.
vs. Petitioner
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederic D. McKenney in behalf of Mr. W. Bourke Cockran in support of the same, and by Mr. Solicitor General Lehmann in opposition thereto.

1158. The Williams Soap Co et al., Petitioners, vs. The J. B. Williams Co.

The peti… a writ o… rari he… submitte… consideration of the Court on printed… ments by Mr. Thomas A. Daily and M… Charles T. Hanna in support of the p… by Mr. V. H. Lockwood in support of t…

1146. Central Park, North & East River Railroad Co., Petitioner, vs. The Farmers Loan & Trust Co., Trustee, et al.

The pete… a writ … rari hi… was su… to the a… ation of… Court on printed arguments by Mr. … E. Goddard and Mr. William N. D… in support of the same, and by Mr. … Weller and Mr. Bronson Winthrop in … sition thereto.

1127. The City and County of Denver et al., Petitioners, vs. The New York Trust Co. et al.

1128. The City and County of Denver et al., Petitioners, vs. The Denver Union Water Co. et al.

Mr. A. … in beh… counse… mitted … consid… of the … a moti… advan… case.

546. Levi B. Grills et al., vs. Appellants, Walter L. Fisher, Secretary of the Interior, et al. Mr. C. C. Calhoun, of counsel for the appellants, submitted to the consideration of the Court a motion for extension of time in which to present a petition for rehearing and for the stay of the mandate in this cause.

1162. Baltimore & Ohio Railroad Co. vs. Petitioner Harry A. Gawinske. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. John W. Yerkes, Mr. George E. Hamilton, and Mr. Hugh L. Bond, Jr., in support of the same.

970. The St. Louis, Iron Mountain & Southern Railway Co., vs. Plaintiff in Error, Mrs. Cordie Mc. Wheeler, Administratrix. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Denis Mocquot, of counsel for the defendant in error, in support of the motion, and by Mr. Martin L. Clardy, of counsel for the plaintiff in error, in opposition thereto.

Proclamation being made, the Court is adjourned

Monday, June 10th, 1912.

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James S. Davenport, it is ordered that John A. Vaughn, Esquire, of Fort Smith, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Lehmann, it is ordered that Blanton Winship, Esquire, of Macon, State of Georgia; Edward A. Krieger, Esquire, of Cherokee, State of Iowa; Charles W. Cobb, Esquire, of San Francisco, State of California, and J. R. Hinton, Esquire, of Washington, District of Columbia, be admitted to

practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. Graham, it is ordered that Michael B. Hurley, Esquire, of Colorado Springs, State of Colorado, and John W. Rainey, James Donahoe and M. L. Igoe, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. L. Hamilton, it is ordered that Henry M. Morrow, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. M. Bladden, it is ordered that Bernard J. Mayer, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis B. James, it is ordered that William Littleford and F. J. Oeltmann, Esquires of Cincinnati, State of Ohio, and D. Joseph Coyne, Esquire, of Los Angeles, State of

California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in their behalf by Mr. J. B. Church, it is ordered that John H. Briekenstein, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Alden Smith, it is ordered that Joseph A. Moynihan, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph D. Sullivan, it is ordered that Laurence J. Collins and Joseph A. Wechter, Esquires, of Buffalo, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Daish, it is ordered that John C. Hobard, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he

was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest Knaebel, it is ordered that William B. Harrison, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred P. Thom, it is ordered that L. E. Jeffries, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of Charley Webb, Petitioner

On consideration of the petition for writs of habeas corpus and certiorari herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged, and that said petition be, and the same is hereby, denied.

Per Mr Justice Peckham.

B. Kindred et al., Appellants, vs. Union Pacific Railroad Co. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Kansas. 222.

Per Mr. Justice Van Devanter.

John Flannelly and
Mary Ellen Flannelly,
vs. Petitioners.
The Delaware & Hudson Co.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that the judgment of the Circuit Court of the United States for the Middle District of Pennsylvania be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United Stat- 234.

for the Middle District of Pennsylvania.

Per Mr. Justice Van Devanter.

Standard Stock Food Co., Appellant, vs. H. R. Wright as State Food and Dairy Commissioner of Iowa. Appeal from the Circuit Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Iowa.

Per Mr. Justice Hughes.

Henry Clairmont, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the District of Montana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Montana, and was argued by counsel. On consideration

by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to quash the indictment, and discharge the defendant.

Per Mr. Justice Hughes.

Seaboard Air Line Railway Co., Plaintiff in Error, vs. Ernest N. Duvall — In Error to the Supreme Court of the State of North Carolina.

201.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Lurton.

Frederick A. Hyde and Joost H. Schneider, Petitioners, vs. The United States. — On writ of certiorari to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued

by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed.

Per Mr. Justice McKenna.

Dissenting:
Mr. Justice Holmes
Mr. Justice Lurton
Mr. Justice Hughes
Mr. Justice Lamar.

Frank W. Brown, Appellant, vs. J. T. Elliott, United States Marshal in and for the Northern District of California, et al. | Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of California.

E. C. Moore,
vs. Appellant.
C. F. Elliott, United States Marshal in and for the Northern District of California, et al.

Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of California.

Per Mr. Justice McKenna.

Dissenting:
Mr. Justice Holmes.
Mr. Justice Lurton
Mr. Justice Hughes
Mr. Justice Lamar.

The United States, The Interstate Commerce Commission, and The Federal Sugar Refining Co., vs. The Baltimore and Ohio Railroad Co., The Central Railroad Co. of New Jersey et al. — Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be and the same is hereby affirmed.

Per Mr. Chief Justice White.

Charles D. Cresswell, George W. Stoney, George R. Hulls et al., vs. Grand Lodge Knights of Pythias of Georgia, T. H. Nickerson, D. J. Bailey et al. — In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel.

On consideration whereof, It is now hereby ordered and adjudged by this Court that

this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice White.

Dissenting:
Mr. Justice Holmes
Mr. Justice Lurton.

The Norfolk & Suburban Turnpike Co., Plaintiff in Error, vs. The Commonwealth of Virginia — In Error to the Supreme Court of Appeals of the State of Virginia.

962.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White.

Arthur Hirsh, Henry Hirsh, A. Henry and John C. Mays.
vs. Appellants,
J. W. Taylor, and Waller L. Robinson, Partners doing business as Taylor & Robinson

Appeal from the Circuit Court of the United States for the Southern District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of West Virginia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of West Virginia.

Per Mr. Chief Justice White.

The City and County of Denver et al.,
vs. Petitioners.
The New York Trust Co. et al
The City and County of Denver et al.,
vs. Petitioners
Denver Union Water Co. et al

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby granted, and

October 15th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

The St. Louis, Iron Mountain & Southern Railway Co., Plaintiff in Error; vs. Mrs. Cordie M. Wheeler, Administratrix, etc

It is ordered by the Court that this cause be placed on the summary docket for hearing at the next term.

Per Mr. Chief Justice White

Ex parte: In the matter of American Cane. Petitioner.

12. Original.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

Ex parte: In the matter of America Cane, Petitioner

12. Original.

On consideration of the petition for a writ of mandamus herein, It is now here ordered by this Court that cause be shown by the Honorable Paul Charlton, Judge of the United States District Court for Porto Rico before this Court, at the City of Washington, on

Tuesday, October 15th, 1912, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of mandamus should not be awarded as prayed in said petition.

Per Mr. Chief Justice White.

467. John C. Mackay. vs. Uinta Development Co. On consideration of the petition for a writ of certiorari herein to bring up the entire record and cause, It is now here ordered by this Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice White.

830 Henry T. Samstag, Moritz Hilder and Julius Hilder, co-partners, as Samstag & Hilder Brothers. vs. Petitioners George Frost Co. & Robert Gorton. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby denied.

Per Mr. Chief Justice White.

1141. The Fred W. Wolf Co., Petitioner. vs. The Mt. Vernon Refrigerating Co. On petition for certiorari to United States Circuit Appeals for Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice

1146. Central Park, North and East River Railroad Co., Petitioner. vs. The Farmers Loan & Trust Co., Trustee, et al. On petition for writ of certiorari to United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now hereby ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice W

1158. The Williams Soap Co., Sidney F. Daily and Jesse M. Daily, Petitioners vs. The J. B. Williams Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1161. Degrasse Paper Co., Petitioner vs. American Sulphite Pulp Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1162. Baltimore & Ohio Railroad Co., Petitioner, vs. Harry A. Gawinski

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and the argument of counsel in support of the same. It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1163. Vicksburg, Shreveport & Pacific Railway Co., Petitioner, vs. Annie May Rogers et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and the argument of counsel in support of the same. It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

The Steamship "Good Hope,"
J. Harding, Claimant,
1164. vs. Petitioner.
Chelsea Fibre Mills.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

The Steamship "Good Hope,"
Edward N. Norton et al.,
Claimants,
1165. vs. Petitioners.
Robert Balfour et al., composing the firm of Balfour, Williamson & Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1166. The Steamship "Good Hope", Edward N. Norton et al., Claimants, vs. Petitioners, Henry P. Winter et al., composing the firm of Winter & Smillie

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1168. Guisseppe Morello, Petitioner, vs. The United States

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1011. Frank T. Wells, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1012. Rufus J. Ireland, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1013 Wilberforce Sully, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of

certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1014. George W. Daily, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. 1157.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1156. Aetna Life Insurance Co. of Hartford, Connecticut, Petitioner, vs. Benjamin Lucas, Outlaw. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. 1169.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same,

It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

The Order of St. Benedict of New Jersey, Petitioner. vs. Albert Steinhauser, Individually and as Administrator, etc., of Augustin Wirth, deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same,

It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

William McCoach, Collector of Internal Revenue, Petitioner. vs. Minehill & Schuylkill Haven Railroad Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same,

It is now here ordered by this Court that the

said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

1170. Kate C. Archer, Petitioner, vs. The Greenville Sand & Gravel Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

Order.

It is ordered by the Court that Section 3 of Rule 37 be amended so as to read as follows:

3. Where an application is submitted to this Court for a writ of certiorari to review a decision of a Circuit Court of Appeals or any other court, it shall be necessary for the petitioner to furnish as an exhibit to the petition a certified copy of the entire transcript of record of the case, including the proceedings in the Court to which the writ of certiorari is asked to be directed. The petition shall contain only a summary and short statement of the matter involved and the general

179

reasons relied on for the allowance of the writ. A failure to comply with this provision shall be deemed a sufficient reason for denying the petition. Thirty printed copies of such petition and of any brief deemed necessary shall be filed. Notice of the date of submission of the petition, together with a copy of the petition and brief, if any, in support of the same shall be served on the counsel for the respondent at least two weeks before such date, in all cases except where the counsel to be notified resides west of the Rocky Mountains, in which cases the time shall be at least three weeks. The brief for the respondent, if any, shall be filed at least three days before the date fixed for the submission of the petition. Oral argument will not be permitted on such petitions, and no petitions will be received within three days next before the day fixed upon for the adjournment of the Court for the term.

Per Mr. Chief Justice White.

Westinghouse Electric & Manufacturing Co., Petitioner
vs.
Wagner Electric Manufacturing Co.

Mr. Joseph B. Church, of counsel for the respondent, submitted to the consideration of the Court a motion to modify the decree of this Court in this cause. Whereupon, upon consideration thereof, it is now here ordered by this Court that the said decree &c, and the same is hereby modi-

said, nunc pro tunc as of June 7, 1912, adding to the remanding clause thereof the words "with power to hear and determine motions to amend the pleadings."

Per Mr. Justice Lurton

761. City of Louisville, Appellant, vs. Cumberland Telephone & Telegraph Co.

Mr. W. L. Grant of counsel for the appellee, submitted to the consideration of the Court a motion for additional time within which to present a petition for a rehearing herein. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

773. James J. Hooker et al., etc., Appellants, vs. Marten N. Knapp et al., &c.

774. The Eagle White Lead Co. et al. Appellants, vs. The Interstate Commerce Commission et al.

Mr. Francis James, of counsel for the appellants, submitted to the consideration of the Court a motion that sixty days' time be granted within which to present a petition for rehearing herein. Whereupon, it is now here ordered by the Court that said motion be, and the same is hereby, granted

Low Wah Suey et ux.,
869. vs. Appellants.
Samuel W. Backus,
Commissioner, etc.

Mr. Corey M. Stadden, of counsel for the appellante, submitted to the consideration of the Court a motion that sixty days' time be granted within which to present a petition for rehearing herein. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Louis Zeckendorf,
139. vs. Appellant.
Albert Steinfeld et al.
Albert Steinfeld et al.,
140. vs. Appellants.
Louis Zeckendorf et al.

Mr. Frederick S. Tyler, in behalf of counsel for Steinfeld et al., submitted to the consideration of the Court a motion that sixty days' time be granted within which to present a petition for rehearing herein. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Roswell E. Messinger.
150. vs. Petitioner,
Peter Anderson.

Mr. Frederick S. Tyler, in behalf of counsel for the respondent, submitted to the consideration of the Court a motion that sixty days' time be granted within which to pres-

a petition for rehearing herein. Whereu
is now here ordered by the Court that
motion be, and the same is hereby, gr

The Railroad Commission
of the State of Mississippi
et al.,
vs. Appellants,
Louisville & Nashville Rail-
road Co.

No 3.

Mr. Hann
of counsel
appellan
mitted t
considere
of the Co
motion a

by days' time be granted within which
sent a petition for rehearing herein. Wh
it is now here ordered by the Court th
motion be, and the same is hereby, gra

Colorado & Northwestern
Railroad Co.,
vs. Plaintiff in Error,
The United States.

7.

It is ord
by the C
that the
be, and
same is

restored to the docket for reargument.

Order.

It is now here ordered by the Court
all the cases on the docket not decided
all the other business of the term not d
of be, and the same are hereby, continue
until the next term.

Per Mr. Chief Justice W

Proclamation being made, the Court is adjourned to the time and place appointed by law.

VOLU

191

ME

2

At the Capitol of the United States, in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the second Monday of October, (being the fourteenth day of the same month) in the year of our Lord one thousand nine hundred and twelve and of the Independence of the United States the one hundred and thirty-seventh, the Supreme Court of the United States met agreeably to law.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. V. Cushman, it is ordered that William E. Baff, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and

On motion first made to the Court in this behalf by Mr. Ernest Wilkinson, it is ordered that Thomas A. Witherspoon, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Corry M. Stadden, it is ordered that Robert Grover Langmade, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Wakefield, it is ordered that A. Fred Mercer and Harry J. Nesbit, Esquires, of Pittsburgh, State of Penksylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William W. Dodge, it is ordered that Malcolm Donald, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

Clyde Allon De Witt, Esquire, of Manila, Philippine Islands, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Thompson, it is ordered that Bynum E. Hinton, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel W. Moore, it is ordered that Joseph S. Brooke, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William R. Harr, it is ordered that Morris R. Bevington, Esquire, of St. Louis, State of Missouri, and William J. Lewis, Esquire, of Paterson, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred'k B. Tyler, it is ordered that John M. Coleman, Esquire, of New York City, be

sellor of this Court, and he was sworn
cingly.

On motion first made to the Court in
half by Mr. Conrad H. Lyne, it is ord
David Meade White, Esquire, of Richm
of Virginia, be admitted to practice a
torney and counsellor of this Court, an
sworn accordingly.

On motion first made to the Court in th
by Mr. W. B. Jaynes, it is ordered that
L. Curtis, Esquire, of Belton, and Wirt
Pearce, Esquire, of Temple, State of Tex
mitted to practice as attorneys and co
of this Court, and they were sworn accord

Samuel Loeb,
vs. Plaintiff in Error.
The State of Georgia

On motion
Jackson &
leave is h
granted th
withdraw his appearance in this cause
sel for the plaintiff in error.

Morris Canal & Banking Co.,
et al.,
vs. Plaintiffs in Error.
David Baird et al.

Mr. Will
Lewis, i
of counse
ted to th
eration o
Court a motion to continue this cause

695. Martin Pederson, vs. Plaintiff in Error. Delaware, Lackawanna & Western Railroad Co. — Mr. Frederick S. Tyler, in behalf of Mr. George Bell, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

799. James D. Hardin. vs. Petitioner. Union Trust Co. of the City of Philadelphia, Pa., et al. — The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Ernest Wilkinson in behalf of Mr. Chambers Kellar in support of the same.

757. Northern Pacific Railway Co., vs. Appellant. King County, Washington et al. — Mr. Evans Browne, in behalf of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

616. Home Telephone & Telegraph Co., vs. Appellant. City of Los Angeles et al. — Mr. Evans Browne, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause pursuant to the 32d rule.

790 John T. Cooper, Petitioner. vs. C. M. Pratt et al. — The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Evans Browne, in behalf of Mr. R. G. Lenn; Mr. Aldis B. Browne, and Mr. Alexander Britton in support of the same. 26.

682 Edmund Burke, vs. The Southern Pacific Railroad Co. et de. J. J. Lamprecht and F. M. Acken, Trustees. vs. Southern Pacific Railroad et al. — The motion for a writ of certiorari to bring up the entire record and cause was submitted to the consideration of the Court on printed arguments by Mr. A. A. Hoehling, Jr., in behalf of Mr. Maxwell Evarts, of counsel for the Southern Pacific Railroad Co. et al. in support of the same, and by Mr. Edmund Burke pro se in opposition thereto.

617 The United States upon the relation and for the use and benefit of Texas Portland Cement Co. et al. vs. D. C. McCord et al. — The petition for a writ of certiorari to bring up the entire record and cause was submitted to the consideration of the Court by Mr. Charles W. Starling, of counsel for McCord et al. 133.

Northern Indiana Gas & Electric Co.,
vs. Appellant,
The Mayor and Board of Public Works of the City of Hammond, Indiana, and the City of Hammond, Indiana

Appeal from the Circuit Court of the United States for the District of Indiana.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Indiana.

Per Mr. Chief Justice White

St Louis & San Francisco Railroad Co.,
vs. Plaintiff in Error.
William Keyser

In Error to the Supreme Court of the State of Arkansas.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here

writ of error in this cause be, and the same
hereby, dismissed with costs.

Per Mr. Chief Justice W

The Atchison, Topeka & Santa Fe Railway Co.,
Plaintiff in Error,
vs.
J. A. Tarr.

In Error to the Court of Civil Appeals for the Supreme Judicial District of the State of Texas.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, and before, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice W

227. North River Insurance Co.,
Plaintiff in Error,
vs.
W. B. Higson

In Error to the Supreme Court of the State of North Carolina.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, and before, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

225 Fidelity Trust Co., Appellant, vs. Lon A. Gastelle, Receiver. Appeal from the District Court of the United States for the Western District of Missouri.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

238 The United States Express Co., Plaintiff in Error, vs. The State of Nebraska. In Error to the Supreme Court of the State of Nebraska.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

317 St. Louis & San Francisco Railroad Co., Plaintiff in Error, vs. Cassie Kitchen. In Error to the Supreme Court of the State of Arkansas.

counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

The Central Railroad Co. of New Jersey, Plaintiff in Error, vs. Michael Colasurdo. — In Error to the United States Circuit Court of Appeals for the Second Circuit. — 712.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Bernard Haas by Sadie Haas, his guardian ad litem, et al., Appellants, vs. Greystoke Castle Steamship Co., Ltd., Claimant of the Steamship "Greystoke Castle" — Appeal from the District Court of the United States for the Northern District of California.

counsel for the appellants to dismiss this appeal has been filed. Therefore, in pursuance of said authority, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

The Great Northern Railway Company, Petitioner, vs. Wayland Sloan and Laura Sloan, minors, by J. Sloan, their father and guardian et al. Claimants.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

It appearing to the Court that a motion of counsel for the petitioner to dismiss the petition for a writ of certiorari herein has been filed. Therefore, in pursuance of said motion, it is now here ordered by this Court that the said petition be, and the same is hereby, dismissed.

Per Mr. Chief Justice White.

The Chief Justice announced to the bar that the usual visit to the President of the United States would be omitted by reason of his absence from the City, and that the Court would commence the call of the docket to-morrow, pursuant to the 6th rule.

Proclamation being made, the Court is adjourned

Tuesday, October 15th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. M. R. Berrigton, it is ordered that Burgess W. Marshall, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that A. Scott Bullitt, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert Noble, it is ordered that Robert B. Honeyman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. C. Brome, it is ordered that Homer M. Sullivan, Esquire, of Dixon, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Mr. Attorney General Wickersham presented Mr. William Marshall Bullitt of Kentucky, to be Solicitor General of the United States, and it was ordered that his commission be issued. Said commission is in the following words, to wit:

William Howard Taft,
President of the United States of America,
To all who shall see these Presents, Greeting:
Know Ye; That reposing special trust and confidence in the Integrity and Ability of William Marshall Bullitt, of Kentucky, I have nominated, and by and with the advice and consent of the Senate, do appoint him Solicitor General of the United States, and do authorize and empower him to execute and fulfil the duties of that office according to Law, and to

the powers, privileges and emoluments thereunto of right appertaining, unto him, the said William Marshall Bullitt.

In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Given under my hand, at the City of Washington, the thirteenth day of July, in the year of our Lord, one thousand nine hundred and twelve, and of the Independence of the United States of America, the one hundred and thirty seventh.

Wm. H. Taft.

Seal

By the President:
Geo. W. Wickersham,
Attorney General.

381. Effie Hoke et al., Plaintiffs in Error, vs. The United States. Mr. Solicitor General Bullitt, of counsel for the United States, submitted to the consideration of the Court a motion to advance this cause.

382. Louis Athanasaw et al., Plaintiffs in Error, vs. The United States. Mr. Solicitor General Bullitt, of counsel for the defendant in error submitted

vance this cause.

602. Emma Harris, etc. et al., vs. The United States of America. Plaintiffs in Error. Mr. Solicitor General Bullitt, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

603. Della Bennett, vs. The United States. Plaintiff in Error. Mr. Solicitor General Bullitt, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

520 Charles R. Heike. vs. The United States. Petitioner. Mr. Solicitor General Bullitt, of counsel for the respondent, submitted to the consideration of the Court a motion to advance this cause.

620 The United States, vs. Sidney W. Winslow et al. Plaintiff in Error. Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, submitted to the consideration of the Court, a motion to advance this cause.

William McCoach, Collector of Internal Revenue. vs. Petitioner. Minehill & Schuylkill Haven Railroad Co.

670.

Mr. Solicitor General Bullitt, of counsel for the petitioner, submitted to the consideration of the Court a motion to advance this cause.

The United States. vs. Petitioner. A. Gero Marshall.

505

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Bullitt and Mr. Assistant Attorney General Harr in support of the same, and by Mr. John M. Coleman in opposition thereto.

Edmund Burke, vs. The Southern Pacific Railroad Co., et al.

632.

Mr. Bynum E. Hinton in behalf of Edmund Burke, submitted to the consideration of the Court a motion to advance this cause.

682. Edmund Burke vs. Southern Pacific Railroad Co., et al.

683. J. S. Lamprecht and F. M. Aiken, Trustees, vs. Southern Pacific Railroad Co., et al.

The motion for leave to file a brief in these cases on behalf of the United States, and to participate in the oral argument thereof was submitted to the consideration of the Court by Mr. Solicitor General Bullitt, of counsel for the United States.

---

611. Susan J. Taylor, as Administratrix, etc., Plaintiff in Error, vs. Sexties E. Taylor.

On motion of Mr. Frederic D. McKenney, of counsel for the plaintiff in error,

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 7, rule 36.

---

308. Dunlevy & Brother Co., Petitioner, vs. Elizabeth Forrest.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Harry J. Nesbit, in support of the same.

376 Kansas City, Missouri, Plaintiff in Error, vs. The State of Kansas ex rel. Joseph Taggart, County Attorney, et al. The motion to dismiss or affirm or to place this cause on the summary docket was submitted to the consideration of the Court on printed arguments by Mr. L. W. Keplinger, of counsel for the defendants in error in support of the motion, and by Mr. John G. Park, of counsel for the plaintiff in error in opposition thereto.

478 Tobias Miller, Plaintiff in Error, vs. Secundo Guasti et al. The motion to affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Albert M. Yuzzolino, of counsel for the defendants in error in support of the motion, and by Mr. William C. Rosenberg, of counsel for the plaintiff in error in opposition thereto.

551 The Citizens National Bank of Roswell, New Mexico, et al., Appellants, vs. George A. Davisson et al. The motion to affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr G. A. Richardson, of counsel for the appellees in support of the motion, and

pellants in opposition thereto.

1 Morris Canal & Banking Co., et al. vs. Plaintiffs in Error. David Baird et al. On consideration of the motion to continue this cause until the next term, It is now here ordered by the Court that the said motion be, and the same is hereby, granted

5, Original The State of Wyoming, Complainant, vs. The State of Colorado et al. The argument of the demurrer in this cause was commenced by Mr. C. D. Hayt, of counsel for the defendants in support of the demurrer; continued by Mr. Benjamin Griffith, of counsel for the defendants in support of the demurrer and by Mr. John W. Lacey, of counsel for the complainant, in opposition to the demurrer, and concluded by Mr. Julius C. Gunter, of counsel for the defendants, in support of the demurrer.

476 William E. Breese et al., vs. The United States. This cause was argued by Mr. Charles A. Douglas of counsel for Breese et al., and by Mr. Assistant Attorney General Denison, of counsel for The United States

Tuesday, October 15th, 1912, continued

Standard Sanitary Manufacturing Co., et al., vs. Appellants, The United States of America

On motion of Mr. Herbert Noble, of counsel for the appellants, three hours are allowed each side in the argument of this case. The argument of this case was commenced by Mr. Herbert Noble, of counsel for the appellants.

Proclamation being made, the Court is ad-

Wednesday. October 16th. 1912.

Pursuant to adjournment the Court met today in the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Howard Boyd, it is ordered that Asa C. Gracie, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. M. Newlett it is ordered that Shelby Jeames Davidson, Esquire, of Lexington, State of Kentucky, and John N Myers, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and coun-

cordingly.

The Northern Pacific Railway Co., et al., vs. The United States of America. Appellants

Mr. Evans Browne, on behalf of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

Standard Sanitary Manufacturing Co. et al., vs. The United States of America. Appellants,

The argument of this cause was continued by Mr. Herbert Noble, of counsel for the appellants, by Mr. Robert B. Honeyman, of counsel for the appellants, and by Mr. Edwin P. Grosvenor, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Thursday, October 17th, 1912.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mrs. Belva A. Lockwood, it is ordered that N. Anna Quinby, of Columbus, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. G. Langmade, it is ordered that Elliott R. Goldsmith, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

654	Standard Sanitary Manufacturing Co. et al. vs. The United States of America.	Appellants,

The argument of this cause was continued by Mr. Edwin P. Grosvenor, of counsel for the appellee, and concluded by Mr. Herbert Noble, of counsel for the appellants.

600	The Interstate Commerce Commission, et al., vs. The Louisville & Nashville Railroad Co.	Appellants,

The argument of this cause was commenced by Mr. Assistant to the Attorney General Fowler, of counsel for The United States, and continued by Mr. Helm Bruce, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Friday. October 18th. 1912.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. P. J. Farrell, it is ordered that Allan P. Matthew, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. R. Bevington, it is ordered that Wiley F. Crist, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Emil Starck, Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Interstate Commerce Commission et al., Appellants, vs. The Louisville & Nashville Railroad Co.

The argument of this cause was continued by Mr. Helm Bruce, of counsel for the Appellee, and concluded by Mr. P. J. Farrell, of counsel for The Interstate Commerce Commission.

The United States of America et al., Appellants, vs. Atchison, Topeka & Santa Fe Railway Co. et al.

The United States of America et al., Appellants, vs. The Union Pacific Railroad Co. et ae.

On motion of Mr. Attorney General Wickersham, of counsel for The United States, four hours are allowed each side in the argument of these cases. The reargument of these cases was commenced by Mr. Assistant to the Attorney General Fowler, of counsel for The United States, and continued by Mr Charles Donnelly, of counsel for the appellees.

Monday October 21st 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Ernest Knaebel, it is ordered that John F. Truesdell, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. Prescott Galley, it is ordered that George Cooper Gibbs, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Bullitt, it is ordered that William H. Lewis, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

381. Effie Hoke et al., Plaintiffs in Error, vs. The United States.

588 Louis Athanasaw et al., Plaintiffs in Error, vs. The United States.

602. Emma Harris, alias Emma R. Smith, et al., Plaintiffs in Error, vs. The United States of America

603. Della Bennett, Plaintiff in Error, vs. The United States of America

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the cases assigned for argument on Monday, January 6, 1913.

per Mr. Chief Justice White

500 The Northern Pacific Railway Co., et al., Appellants, vs. The United States of America

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday,

assigned for that day.

Per Mr. Chief Justice White.

520. Charles R. Skiste. vs. The United States. Petitioner. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 6, 1913, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

620. The United States. vs. Sidney W. Winslow et al. Plaintiff in Error. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 6 1913, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

682. Edmund Burke vs. Southern Pacific Railroad Co., et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and

January 6, 1913, after the cases heretofore assigned for that day.

per Mr. Chief Justice White.

Martin Pederson,
vs. Plaintiff in Error.
Delaware, Lackawanna & Western Railroad Co.

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 6, 1913, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

683.

J. I. Lamprecht and J. M. Aiken, Trustees.
vs.
Southern Pacific Railroad Co., et al

It is ordered by the Court that this case be, and the same is hereby, advanced and assigned for argument on Monday, January 6, 1913, with case No. 682, as one case.

per Mr. Chief Justice White

610

Home Telephone & Telegraph Co.,
vs. Appellant.
City of Los Angeles et al.

On consideration of the motion to advance this cause. It is now here or-

the same is hereby denied, but the case will be taken on submission on printed briefs, if counsel shall be so advised.

Per Mr. Chief Justice White

William McCoach, Collector, etc., Petitioner, vs. Minehill & Schuylkill Haven Railroad Co. 670.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice White

Northern Pacific Railway Co., Appellant, vs. King County, Washington, et al. 759.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

Edmund Burke, vs. The Southern Pacific Railroad Co. et al 682.

J. J. Lamprecht and F. M. Aiken, Trustees, vs 683.

On consideration of the motion on behalf of The United States for leave to file a printed brief herein and to

ment, It is now here ordered by the Court that the motion for leave to file a printed brief herein be, and the same is hereby, granted, and that the motion for leave to make oral argument be, and the same is hereby, denied.

Per Mr. Chief Justice White

617. The United States, upon the relation and for the use and benefit of Texas Portland Cement Co. et al., vs. D. C. McCord et al.

On consideration of the petition for a writ of certiorari herein to bring up the entire record and cause, and of the argument of counsel in support of the same, It is now hereordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

682 Edmund Burke, vs. The Southern Pacific Railroad Co. et al.

683 J. J. Lamprecht and F. M. Aiken, Trustees, vs. The Southern Pacific Railroad Co. et al.

On consideration of the petition for writs of certiorari herein to bring up the entire records and causes and of the argument, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

790 John T. Cooper, Petitioner, vs. C. M. Pratt et al., Partners, doing business under the firm name of Charles Pratt & Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

791 James D. Hardin, Petitioner, vs. Union Trust Co. of the City of Philadelphia, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

8 Cases.

The United States,
vs. Petitioner
A. Vera Marshall.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

3 Cases.

Dunlevy & Brother Co.,
vs. Petitioner.
Elizabeth Forrest.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

The Citizens National Bank of Roswell, New Mexico, et al.,
351. vs. Appellant.
George A. Dawson et al

It is ordered by the Court that the cause be placed on the summary docket.

per Mr. Chief Justice White

The State of Wyoming, Complainant.
8, Original vs.
The State of Colorado et al.

This cause coming on to be heard on the demurrer of the defendants to the bill of complaint herein, and was argued by counsel. On consideration whereof, It is now here ordered by the Court that the said demurrer be, and the same is hereby, overruled without prejudice to any question, and leave is hereby given the defendants to file answer herein within ninety days.

per Mr. Chief Justice White

Ex parte: In the matter of The United States of America.
Original Petitioner.

Mr. Attorney General Wickersham, of counsel for the petitioner, submitted to the consideration of the Court, a motion for leave to file a petition for a writ of prohibition in this cause.

The Journal of Commerce and Commercial Bulletin, Appellant.
vs.
Frank H. Hitchcock, Postmaster General, etc., et al.

Mr. Robert C. Morris, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

815.

Lewis Publishing Co., Appellant.
vs.
Edward M. Morgan, Postmaster, etc.

Mr. James M. Beck, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

819

The Mahoning Valley Railway Co., Petitioner.
vs.
Belinda O'Hara

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George F. Arrel in support of the same, and Mr. Charles Koonce, Jr. in opposition thereto.

768.

718 Mary E. Hughes,
vs. Appellant.
The United States.

719 The United States
vs. Appellant.
Mary E. Hughes.

720 Mattie W. Jackson, widow etc., et al.,
vs. Appellants.
The United States.

Mr. W. N. Conaway, of counsel for Hughes and Jackson et al., submitted to the consideration of the Court a motion to advance these cases.

Hannah L. Andrews, Executrix, etc.
196 vs. Petitioner
Harvey K. Partridge, Trustee, etc.

Mr. Samuel H. Richards, of counsel for the petitioner, submitted to the consideration of the Court a motion to advance this cause to be heard after cases Nos. 184 and 575.

716 J. D. Block et al.,
vs. Petitioners,
The City of Meridian

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Harry Peyton in behalf of Mr. G. L. Hall and Mr. Joseph Hirsh in support of the same, and by Mr. William H. Ambrecht in opposition thereto.

American Fidelity Co.,
vs. Petitioner,
S. N. Velie, doing business as Velie Motor Company.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Joseph S. Brooks and Mr. Louis C. Boyle in support of the same and Mr. Henry D. Ashley in opposition thereto.

2. Colorado & Northwestern Railroad Co.,
vs. Plaintiff in Error.
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. E. Whitted, of counsel for the plaintiff in error, and by Mr. Assistant to the Attorney General Fowler and Mr. Henry E. Colton, of counsel for the defendant in error.

519 Jacob Glos et al.,
vs. Plaintiffs in Error.
City of Chicago in trust for the use of the Schools et al.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Angus Roy Shannon and Mr. George Gillette, of counsel for the defendants in error, in support of the motion, and by the plaintiffs in error pro esse in opposition thereto.

The Kansas City Southern Railway Co.,
734 vs. Plaintiff in Error.
The Kaw Valley Drainage District of Wyandotte County, Kansas.
The Kansas City Terminal Railway Co.,
735 vs. Plaintiff in Error.
The Kaw Valley Drainage District of Wyandotte County, Kansas.

The motions to dismiss or affirm or transfer these cases to the summary docket were submitted to the consideration of the Court on printed arguments by Mr. L. W. Keplinger, of counsel for the defendant in error, in support of the motion, and by Mr. S. W. Moore, Mr. Addis B. Browne, and Mr. S. W. Sawyer, of counsel for the plaintiffs in error, in opposition thereto.

The United States of America et al.,
508 & 513 vs. Appellants.
Atchison, Topeka & Santa Fe Railway Co. et al.
The United States of America et al.,
514 & 514. vs. Appellants.
Union Pacific Railroad Co. et al.

The motion to argument of these cases was continued by Mr. Charles Donnelly, of counsel for the appellees, by Mr. Joseph N. Teal, of counsel for the Portland Chamber of Commerce et al., by Mr. J. B. Campbell, of counsel for the City of Spokane, by Mr. P. J. Farrell, of counsel for the Interstate Commerce Commission, by Mr. F.

and by Mr. F. C. Dillard, of counsel for the appellees.

Proclamation being made, the Court is adjourned

Tuesday, October 22d, 1912.

Pursuant to adjournment, the Court met today at the Capitol

Present.

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William A. Coombs, it is ordered that Leo Grandin Groseman, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George P. Merrick, it is ordered that Everett L. Millard, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States of America et al.,
480 & 513 vs. Appellants,
Atchison, Topeka & Santa Fe Railway Co., et al.
The United States of America et al.,
481 & 514 vs. Appellants,
Union Pacific Railroad Co. et al.

On motion of Mr. Alfred F. Thom, leave is hereby granted him to file a printed argument in these cases.

The United States of America et al.,
480 & 513 vs. Appellants,
Atchison, Topeka & Santa Fe Railway Co., et al.
The United States of America et al.,
481 & 514 vs. Appellants.
Union Pacific Railroad Co., et al.

The argument of these cases was concluded by Mr. Attorney General Wickersham, of counsel for the United States.

The Kansas City Southern Railway Co.,
16. vs. Plaintiff in Error,
J. M. Carl.

This cause was argued by Mr. E. W. Moore, of counsel for the plaintiff in error.

No counsel appeared for the defendant in error.

Chicago, Burlington & Quincy Railway Co., Plaintiff in Error.
17. vs.
N. Fred Miller

This cause was re-argued by Mr. Robert B. Scott, of counsel for the plaintiff in error, and by Mr. N. M. Sullivan, of counsel for the defendant in error.

Chicago, St Paul, Minneapolis & Omaha Railway Co., Petitioner,
231. vs.
Bud R. Latta.

The re-argument of this cause was commenced by Mr. James B. Shean, of counsel for the petitioner, and continued by Mr. N. C. Brome, of counsel for the respondent.

Proclamation being made, the Court is ad-

Wednesday. October 23d. 1912.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Hosea B. Moulton, it is ordered that Robert N. Simpson, Esquire, of Baltimore State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

11. M. Kuhn & Brother, Plaintiff in Error, vs. J. F. Bledsoe, Trustee, &c. On motion of Mr. Joseph W. Bailey, in behalf of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, passed for the term.

Juan M. Ceballos and John M. Fiske. vs. Anderson C. Hilen. — On motion of Mr. Evans Browne, in behalf of counsel, It is now here ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 36.

Chicago, St. Paul, Minneapolis & Omaha Railway Co., vs. Petitioner, Bud R. Lara. 231 — The reargument of this cause was concluded by Mr. H. C. Brome, of counsel for the respondent

Adams Express Co., vs. Plaintiff in Error, E. H. Croninger 18. — The re-argument of this cause was commenced by Mr. Laurence Maxwell, of counsel for the plaintiff in error, and concluded by Mr. John R. Schindel, of counsel for the defendant in error.

The United States, vs. Plaintiff in Error, James A. Patten et al. 282. — On motion of Mr. John C. Spooner, of counsel for the defendants in error, one hour and a half is allowed each side in the argument of this case. The reargument of this case was commenced by Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, and continued by Mr. and Mr. George P. Merrick

in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Thursday, October 24th, 1912.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bullitt, it is ordered _____ that Milan Day Barnes, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lorenzo A. Bailey, it is ordered that William S. Ball, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William B. King, it is ordered that George L. Scofield, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Antonio Joaquin Luis Sanchez de Larragoitia et al., composing the succession or estate of Joaquin Sanchez de Larragoitia, deceased,

vs. Plaintiffs in Error.

Salvador Castells et ae.

In Error to the District Court of the United States for Porto Rico.

6.

This cause having been called for hearing in its regular order, and it appearing to the Court that this is the second term at which this cause has been called for argument, and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the plaintiffs in error, pursuant to the 16th rule of this Court. Whereupon, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

252. The United States. vs. Plaintiff in Error. James A. Patten et al.

The re-argument of this cause was continued by Mr. George P. Merrick, of counsel for the defendants in error, and concluded by Mr. Solicitor General Bullitt, of counsel for the plaintiff in error.

621 The United States of America, etc., vs. Appellant. Union Stock Yards & Transit Co. of Chicago, et al.

622. The Chicago Junction Railway Co. vs. Appellant. The United States of America, etc.

The argument of these cases was commenced by Mr. Assistant Attorney General Adkins, of counsel for The United States; continued by Mr. Ralph M. Shaw, of counsel for the Union Stock Yards & Transit Co. of Chicago, et al., and concluded by Mr. William E. Lamb, of counsel for The United States.

590 Four Hundred and Forty-three Cans of Frozen Egg Product, etc., vs. Appt and Plff in Error. The United States of America, Claimant and plaintiff in error.

The argument of this cause was commenced by Mr. Ralph S. Rounds, of counsel for the appel-

Motion at Cooling adjourn

Friday. October 25th. 1912.

Pursuant to adjournment the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
Horace H. Lurton — Associate
Charles E. Hughes — Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John W. Wright. Esquire, Marshal
James D. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Ralph S. Rounds, it is ordered that Francis Emmet Neagle, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Four Hundred and Forty-three Cans of Frozen Egg Product, etc..

vs. Appit and Plff in Error.

The United States of America

The argument of this cause was continued by Mr. Ralph S. Rounds of counsel for the appellant and

54c

plaintiff in error and by Mr.

General Adkins, of counsel for the appellee and defendant in error, and concluded by Mr. Ralph S. Rounds, of counsel for the appellant and plaintiff in error.

The United States of America et al., vs. Appellants, Baltimore & Ohio South-western Railroad Co., et al. 648.

On motion of Mr. R. Walton Moore of counsel for the appellees, three counsel are allowed to make one argument in this cause for the appellees.

The argument of this cause was commenced by Mr. Assistant Attorney General Denison, of counsel for the appellants.

Proclamation being made, the Court is adjourned

Monday. October 28th. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. W. T. Denison, it is ordered that Edward H. Hart, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Charles N. Kimball, Esquire, of Sisters-ville, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. D. McHugh, it is ordered that W. C. Lambert, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

476. William E. Breese and Joseph E. Dickerson. vs. The United States. On a certificate from the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first and sixth questions certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Holmes.

396. Kansas City, Missouri, Plaintiff in Error. vs. The State of Kansas ex rel. Joseph Taggart, County Attorney, et al. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the tran-

the State of Kansas, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

Jacob Glos, A. Timke, Trustee, and Emma J. Glos,

vs. Plaintiffs in Error,

City of Chicago, in trust for the use of the schools, and Isabella A. N. Prindle.

In Error to the Supreme Court of the State of Illinois.

519.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

Hannah L. Andrews,
Executrix, etc.,
1196. vs. Appellant.
Harvey K. Partridge,
Trustee, etc.

On consideration of the motion to advance this cause and assign the same for argument immediately after Nos. 184 and 595, It is now here ordered by the Court that the said motion be, and the same is hereby granted.

Per Mr. Chief Justice White

The Journal of Commerce
and Commercial Bulletin,
818. vs. Appellant.
Frank H. Hitchcock,
Postmaster General, etc., et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, December 2d, 1912.

Per Mr. Chief Justice White

Lewis Publishing Co.,
819. vs. Appellant.
Edward H. Morgan,
Postmaster, etc.

On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, December 2d, 1912.

718 Mary E. Hughes,
Appellant,
vs.
The United States.

719 The United States,
Appellant,
vs.
Mary E. Hughes
Mattie N. Jackson, widow, etc., et al.,

720 Appellants,
vs.
The United States.

On consideration of the motion to advance these cases, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Ex parte: In the matter of The United States,
10 Original. Petitioner

On consideration of the motion for leave to file a petition for a writ of prohibition herein, It is now here ordered by the Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

Ex parte: In the matter of The United States.
10, Original. Petitioner.

On consideration of the petition for a writ of prohibition herein, It is now here ordered by the Court that cause be shown by the Honorable Jacob Trieber, District Judge of the United States, sitting alone in the District Court of the United States of the Eastern Division of the Eastern Judicial District of the State of Missouri, before this Court, at the City of Washington, on Monday, December

ber 2d, 1912, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice White.

716. I. D. Block, Louis Bry and Emil Weil. vs. The City of Meridian, a municipality, whose corporate name is The Mayor and Board of Councilmen and Aldermen of the City of Meridian

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

768

The Mahoning Valley Railway Co., Petitioner
vs
Belinda O'Hara

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

769

American Fidelity Co., Petitioner.
vs
S. N. Velie, doing business as Velie Motor Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

The Kansas City Southern Railway Co.
734 vs. Plaintiff in Error.
The Kaw Valley Drainage District of Wyandotte County, Kansas.
The Kansas City Terminal Railway Co.,
735 vs. Plaintiff in Error.
The Kaw Valley Drainage District of Wyandotte County, Kansas.

On consideration of the motions to dismiss or affirm in these cases, or to transfer the cases to the summary docket, and of the argument of counsel thereupon had, as well in support of as against the same,

It is now here ordered by the Court that said motions be, and the same are hereby denied.

Per Mr. Chief Justice White.

John McNamara,
687 vs. Appellant.
William Henkel, United States Marshal, etc., et al.

Mr. Solicitor General Bullitt, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

Ex parte: In the matter of Walter Cook.
Original Petitioner

Mr. Millon Strasburger, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ

814. The Republic Rubber Co., Petitioner. vs. Morgan & Wright. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Marshall A. Christy in support of the same, and Mr. Antonio Knauth in opposition thereto.

832. Monongahela River Consolidated Coal & Coke Co., et al., Petitioners. vs. Mrs. Bessie Schinnerrer

833. Monongahela River Consolidated Coal & Coke Co., et al., Petitioners. vs. Mrs. Emma Hurst. The petition for writs of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank S. Masten in support of the same, and Mr. F. Zimmerman in opposition thereto.

754. Old Colony Trust Co., Appellant. vs. The City of Omaha. Mr. W. D. McHugh, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause to be heard after case No. 162.

320. Detroit Steel Cooperage Co., Petitioner, vs. Sistersville Brewing Co. et al. — The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles N. Kimball, and Mr. George N. Hoffheimer in support of the same.

312. The National Telephone Manufacturing Co., Plaintiff in Error, vs. The American Bell Telephone Co. — The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr Charles N. Swan and Mr. Robert M. Morse, of counsel for the defendant in error, in support of the motion, and by Mr. L. T. Michener and Mr. Samuel W. Emery, of counsel for the plaintiff in error, in opposition thereto.

428 National Surety Co., Plaintiff in Error, vs. The Architectural Decorating Co. — This cause was submitted to the consideration of the Court pursuant to the 20th rule, on the record and printed arguments by Mr. Jed L. Washburn, of counsel for the plaintiff in error, and by Mr. A. L. Agatin, of counsel for the defendant in error.

Purity Extract & Tonic Co., et al.
vs. Plaintiffs in Error.
1164 C. C. Lynch

This cause was submitted to the consideration of the Court pursuant to the 20th rule on the record and printed arguments by Mr. Marcellus Green and Mr. George D. Lancaster of counsel for the plaintiffs in error, and by Mr. Edward Mayer, of counsel for the defendant in error.

Home Telephone & Telegraph Co.
vs. Appellant.
610 City of Los Angeles et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James A. Gibson, of counsel for the appellant, and by Mr. John W. Shenk of counsel for the appellees.

The United States of America et al.,
vs. Appellants,
678. Baltimore & Ohio South-western Railroad Co. et al.

On motion of Mr. Attorney General Denison, leave is hereby granted to file the brief of counsel for The Cincinnati & Columbus Traction Company, one of the appellants in this cause.

648. The United States of America et al., vs. Appellants. Baltimore & Ohio Southwestern Railroad Co. et al.

The argument of this cause was continued by Mr. R. Walton Moore, Mr. Edward Barton and Mr. Theodore W. Reath, of counsel for the appellees, and concluded by Mr. C. W. Needham, of counsel for the appellant.

642 The City & County of Denver et al., vs. Petitioners. The New York Trust Co. et al.

643 The City and County of Denver et al., vs. Petitioners, The Denver Union Water Co. et al.

On motion of Mr. Henry McAllister, Jr., of counsel for the respondents, three counsel are allowed to argue these cases for the respondents and one hour additional time is allowed each side for the argument.

The argument of these cases was commenced by Mr. W. N. Bryant, of counsel for the petitioners, and continued by Mr. Henry McAllister, Jr., of counsel for the respondents in No. 642.

Proclamation being made, the Court is adjourned

Tuesday, October 29th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Alfred P. Thom, it is ordered that Lovick P. Miles, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Levi S. Chapman, Esquire, of Syracuse, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

835

22.

On motion first made to the Court in this behalf by Mr. E. M. Hewlett, it is ordered that Henri W. Shields, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Steamlug Transfer No. 19
her engines, etc., New York,
New Haven & Hartford
Railroad Co.,
vs. Petitioner
River & Harbor Transporta-
tion Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick J. Tyler in behalf of Mr. Edward D. Robbins in support of the same, and by Mr. Charles C. Burlingham in opposition thereto.

Selover, Bates & Co.,
vs. Plaintiff in Error,
Julia T. Walsh.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Archer W. Selover, of counsel for the plaintiff in error, and by Mr. A. B. Choate and Mr. George W. Buffington, of counsel for the defendant in error.

642. The City and County of Denver et al., Petitioners. vs. The New York Trust Co. et al.

643. The City and County of Denver et al., Petitioners. vs. The Denver Union Water Co., et al.

The argument in these cases was conc by Mr. Henry M. Lisle, Jr., of coun for the respondent No. 642, and M Clayton C. Dorse Mr. Gerald Hugh counsel for the re ents in No. 643, concluded by Mr Charles W. Waterman, of counsel for the pet ers.

John E. Hampton et al., as Railroad Commissioners of the State of Arkansas, Appellants. vs. St. Louis, Iron Mountain & Southern Railway Co.

The argumen this cause w commenced Mr. Lovick C Miles, of coun for the appell

Proclamation being made, the Court is adjour until tomorrow at twelve o'clock.

Wednesday. October 30th. 1912.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

15 James P. McGovern, Plaintiff in Error,
vs.
The City of New York.

On motion of Mr. E. A. Alexander, of counsel for the plaintiff in error,

It is now here ordered by the Court that the cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

3 John E. Hampton et al., as Railroad Commissioners of the State of Arkansas, Appellants,
vs.
St. Louis, Iron Mountain &

The argument of this cause was concluded by Mr. Lovick P. Miles, of counsel for the

the cause was submitted on the record and a printed argument by Mr. Hal L. Norwood and Mr. Maurice M. Cohn, of counsel for the appellants.

7 James W. Beach, Appellant, vs. The United States. This cause was argued by Mr. James W. Beach for ~~the~~ ~~ee~~, and submitted on the record and a printed argument by Mr. Asst. Attorney General Thompson, of counsel for the appellees.

8 Société Anonyme des Sucreries de St. Jean, Plaintiff in Error, vs. The United States. This cause was argued by Mr. Colley W. Bell, of counsel for the plaintiff in error, and by Mr. Assistant Attorney General Denison, of counsel for the defendant in error.

11. Augusto Burnet, Appellant, vs. Josefa and Isabel Deemones y Moarez. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Willis Sweet, of counsel for the appellant. No counsel appeared for the appellees.

Wednesday, October 30th, 1912, continued

Jeremiah J. Harty,
Appt. and Plff in Error.
nicipality of Victoria.

This cause was argued by Mr. Frederic R. Coudert, of counsel for the ant and plaintiff in error, and by Mr. Frankfurter, of counsel for the appellee efendant in error.

el Loeb,
Plaintiff in Error.
tate of Georgia

In Error to the Court of Appeals of the State of Georgia

ause came on to be heard on the tran- of the record from the Court of Appeals tate of Georgia, and the plaintiff in aving been three times solemnly called Marshal to come into Court and pros- is writ of error, and failing to appear, ereupon, in pursuance of the 16th rule Court, and on the motion of Mr. Thomas r, of counsel for the defendant in error, e ordered and adjudged by this Court, is cause be, and the same is hereby, dis- with costs; and that this cause be, same is hereby, remanded to the said Appeals to be proceeded in according and justice.

Per Mr. Chief Justice White

23 Frank H. Jones, Trustee, &c.. vs. Appellant, Charles Springer

The argument of this cause was commenced by Mr. Elmer E. Studley of counsel for the appellant.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Thursday, October 31st. 1912.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

Mr. Assistant to the Attorney General Fowler addressed the Court as follows:

"May it please the Honorable Court:

I deeply regret the necessity of performing the sorrowful duty of announcing to this Honorable Court the death of the Honorable James Schoolcraft Sherman, Vice President of the United States.

Through many years of active and valuable public service, Mr. Sherman had attained, independent of the office which he occupied, an enviable position in the hearts of his countrymen. Four years ago he was chosen by the people of

the time of his death.

Out of respect deemed to be due so exalted a position in a co-ordinate branch of the Government, and that this Honorable Body may join with a bereaved Nation in expressing its sorrow at his untimely death, I move that this Court do now adjourn until after the funeral."

The Chief Justice responded:

"Mr Attorney General:

The Court hears with sorrow the announcement which you make of the death of the Vice President, and as a token of our participation in the burden of loss which the country has suffered, and out of sympathy with his countrymen, the motion you present is granted and the Court will stand adjourned until Monday next."

Proclamation being made, the Court is adjourned

Monday, November 4th. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Claudian B. Northrop, it is ordered ——— that Henry H. Ficken, Esquire, of Charleston, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Ruffin, it is ordered that John W. Bishop, Esquire, of Nashville, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he

On motion first made to the Court in this behalf by Mr. Benjamin S. Minor, it is ordered that Michael O. Rini, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

8. Société Anonyme des Sucreries de St. Jean, vs. The United States. Plaintiff in Error. In Error to the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice White.

687. John Mc. Namara, vs. William Henkel, U. S. Marshal, etc. Appellant. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause transferred to the summary docket.

Per Mr. Chief Justice White

754 Old Colony Trust Co. vs. The City of Omaha. Appellant. On consideration of the motion to advance this cause for hearing in connection with case No. 162 on the docket for the present term, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

Original. Ex parte: In the matter of Walter Cook. Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, and that a rule to show cause issue thereon. It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

825 Detroit Steel Cooperage Co. vs. Sistersville Brewing Co. et al. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, it is now here ordered by this Court that the said petition be, and the same is hereby, granted.

814. The Republic Rubber Co., Petitioner. vs. Morgan & Wright. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

832. Monongahela River Consolidated Coal & Coke Co. and Huntington & St. Louis Tow Boat Co., Petitioners. vs. Mrs. Bessie Schinnerrer. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by this Court that the said petition be and the same is hereby, denied.

Per Mr. Chief Justice White.

833 Monongahela River Consolidated Coal & Coke Co. and Huntington & St Louis Tow Boat Co., Petitioners. vs. Mrs Emma Hurst

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

835. New York, New Haven & Hartford Railroad Co., Owner of Steamlug "Transfer No. 19" Petitioner, vs. River & Harbor Transportation Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said

Order.

It is now here ordered by the Court that the rules of practice for the Courts of Equity of the United States this day adopted and established by the Court be and the same are hereby, promulgated as such, to be in force on and after February 1, 1913.

Per Mr. Chief Justice White

The Chief Justice said:

"The Court in announcing the adoption of the new rules, expresses its appreciation of the interest in the subject manifested generally by the judges of the courts of the United States, and especially by the judges of Circuit Courts of Appeals, in appointing bar committees from their respective circuits to consider and make recommendations upon the subject. The result of the intelligent and careful labors of such committees embodied in the reports which they made, as well as the interest shown by the entire bar and the many individual suggestions which came to the Court, greatly facilitated the performance of the duty of framing the new rules.

The Court also desires to record its appreciation of the courtesy shown by the Lord Chancellor of England in replying in writing to certain questions concerning the practical operation of the English Chancery Rules submitted to him

for the purpose of observing such operation."

Warren B. Wheeler,
vs. Plaintiff in Error;
The United States.
Gillman Shaw,
vs. Plaintiff in Error;
The United States.
Warren B. Wheeler,
vs. Appellant;
Guy Murchie, U. S. Marshal, etc.
Gillman Shaw,
vs. Appellant;
Guy Murchie, U. S. Marshal, etc.

The motion to affirm in these cases was submitted to the consideration of the Court on the records and printed arguments by Mr. Assistant Attorney General Harr and Mr. Solicitor General Bullitt of counsel for the defendants in error and appellees, in support of the motion, and by Mr. Nathan Matthews, of counsel for the plaintiffs in error and appellants, in opposition thereto.

John L. Hart, Administrator, etc.,
vs. Petitioner;
The Northern Pacific Railway Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. J. R. Webster, in behalf of Mr. Francis B. Hurd, in support of the same.

Monday, November 11th, 1912, contin

511 E S Deming et al., Plaintiffs in Error, vs. Carlisle Packing Co

The motion to dismiss or affirm and for damages in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Ernest Browne in behalf of Mr. Charles W. Dorr as Mr. A B. Browne, of counsel for the defendant in error, in support of the motion, and by Mr. James A. Kerr, of counsel for the plaintiffs error, in opposition thereto.

212. The Michigan Central Railroad Co., Plaintiff in Error, vs. Daniel B. Vreeland, Administrator, etc.

The motion to dismiss or affirm this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Joseph E. Sullivan in behalf of Mr. John B. Daish, counsel for the defendant in error, in support of the motion, and by Mr. Frank E. Robbins of counsel for the plaintiff in error, in opposition thereto.

36 William H. Hamum, Appellant, vs. The United States.

On motion of Archibald Kin behalf of coun for the appelle

It is now here ordered by the Court that

per stipulation, on account of sickness of counsel, subject to the provisions of Section 7, of rule 21.

576.	P. L. Rogers vs. The State of Arkansas	Plaintiff in Error.	Mr. H. R. Gower, in behalf of counsel, submitted to the consideration of the Court a motion to advance these causes.
577.	L. P. Barnhill vs. The State of Arkansas	Plaintiff in Error.	
572.	The First National Bank of Princeton, Ill. et al., vs. Charles E. Littlefield, Trustee, etc., et al.	Appellants.	This cause was submitted to the consideration of the Court pursuant to the 20th rule, on the record and printed arguments by Mr. Thorndike Saunders, of counsel for the appellants, and by Mr Daniel P Hays, of counsel for the appellees.
547.	The Atchison, Topeka & Santa Fe Railway Co., et al., vs. Valentina Chaves de Padilla sole surviving parent of Antonio Padilla, deceased.	Plaintiffs in Error.	In Error to the Supreme Court of the Territory of New Mexico.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss

Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of New Mexico.

Per Mr. Chief Justice White.

The Mayor and Aldermen of the City of Vicksburg, Appellant, vs. The Vicksburg Water Works Company.

It is ordered by the Court that this cause be, and the same is hereby, continued per stipulation

2

M. Kahn & Brocker, a firm composed of M. Kahn and Sam Kahn, Plaintiffs in Error, vs. J. F. Bledsoe, Trustee in Bankruptcy of J. N. Barral.

In Error to the Supreme Court of the State of Oklahoma.

11

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and the plaintiffs in error having been three times solemnly called by the Marshal to come into Court and prosecute their writ of error, and failing to appear,

of this Court, and on the motion of Mr Evans Browne, in behalf of counsel for the defendant in error, now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice

Per Mr Chief Justice White.

23. Frank H. Jones, Trustee, &c., Appellant, vs. Charles Springer

The argument of this cause was continued by Mr. Elmer E. Studley, of counsel for the appellant, and by Mr. Ernest Knaebel, of counsel for the appellee, and concluded by Mr. J. E. McLeish, of counsel for the appellant.

14. Pennsylvania Railroad Co., Plaintiff in Error, vs. International Coal Mining Co.

The reargument of this cause was commenced by Mr. Francis I. Gowen, of counsel for the plaintiff in error; continued by Mr. William A. Glasgow, Jr., of counsel for the defendant in error, and concluded by Mr. Francis I. Gowen, of counsel for the plaintiff in error.

Monday, November 4th. 1912, continued.

214 John F. Hanson, Plaintiff in Error, vs. Emil Gustafson. This cause was submitted to the consideration of the Court on the record and printed arguments by the parties pro sese.

Proclamation being made, the Court is adjourned

Tuesday. November 5th. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr George Turner, it is ordered that Robert L. Edmiston, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. D. Gilmore, it is ordered that Thomas Gilmore, Esquire, of New Orleans, and Edward Nicholls Pugh, Esquire, of Donaldsonville, State of Louisiana, be admitted to practice as attorneys and counsellors of

On motion first made to the Court in this behalf by Mr. W B. Howe, it is ordered that Wilton Snowden, Jr., Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

35 Samuel M. Plumley, Appellant, vs. The United States. / 36 The United States vs Appellant, Samuel M. Plumley. — On motion of Mr. Archibald King, in behalf of counsel for Samuel M. Plumley, It is now here ordered by the Court that this cause be, and the same is hereby, passed, per stipulation, on account of the sickness of counsel, subject to the provisions of section 9 of rule 26.

34 Supreme Ruling of the Fraternal Mystic Circle, Plaintiff in Error, vs. Annie Snyder. — On motion of Mr. Jesse C. Adkins, in behalf of counsel, It is now here ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of rule 26

33 Charles Maibaum, Appellant, vs. The United States — On motion of Mr. Solicitor General Bullitt, of counsel

It is now here ordered by the Court that the cause be, and the same is hereby, passed, subject to the provisions of section 4 of rule 26.

28. The Chicago, Rock Island & Pacific Railway Co., Plaintiff in Error, vs. The Hardwick Farmers Elevator Co. This cause was argued by Mr. M. V. Seymour, of counsel for the plaintiff in error, and by Mr. L. A. Christopherson, of counsel for the defendant in error.

29. Benjamin Rosenthal, Plaintiff in Error, vs. The People of the State of New York. This cause was argued by Mr. Percival D. Oram, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Freeman F. Zimmerman, of counsel for the defendant in error.

30. Wells, Fargo & Co. et al., Plaintiffs in Error vs. Neuman-Marcus Co. This cause was argued by Mr. Charles W. Pierson, of counsel for the plaintiffs in error, and submitted on a printed argument by Mr. Rhoden S. Baker, of counsel for the defendant in error.

Tuesday. November 5th. 1912, continued

Ormond G. Smith et al. as Street & Smith,
vs. Appellants,
Frank H. Hitchcock Post master General

Frank Tousey, Publisher,
vs. Appellant.
Frank H. Hitchcock, Post-master General

The arguments of these cases was commenced by Mr. J. J. Darlington, of counsel for the appellants, and continued by Mr. Solicitor General Bullitt, of counsel for the appellee.

(Proclamation being made, the Court is adjourned

Wednesday November 6th. 1912.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas H. Clark, it is ordered that William Marlin Williams, Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

143. Luciano Chaves, et al., Appellants, vs. Eloisa Luna de Berger et al.

On motion of Mr. Charles F. Consaul, in behalf of counsel, It is now here ordered by the Court that this cause be, and the same is hereby, passed.

Ormond G. Smith et al., as Street & Smith.
31 vs. Appellants,
Frank H. Hitchcock, Postmaster General.
Frank Tousey, Publisher, &c.
32 vs Appellant,
Frank H. Hitchcock, Postmaster General.

The argument of these cases was continued by Mr. Solicitor General Bullitt, of counsel for the appellee, and concluded by Mr. H. H. Glassie, of counsel for the appellants.

Sarah K. McLean, widow &c.
33 vs. Appellant,
The United States.

This cause was argued by Mr. Archebald King, of counsel for the appellant, and by Mr. William W. Scott, of counsel for the appellee.

T. S. Bradley, trading as T. S. Bradley & Co.,
34 vs. Plaintiff in Error,
The City of Richmond

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. Henry Harris, of counsel for the plaintiff in error, and by Mr. N. R. Pollard, of counsel for the defendant in error.

Louisiana Navigation Co.,
45 vs. Plaintiff in Error,
Oyster Commission of Louisiana

This cause was argued by Mr. Thomas Gilmore

Pugh, of counsel for the plaintiff in error. The Court declined to hear counsel for the defendants in error.

Brooke P. Taylor et al., Appellants,
vs.
Columbian University etc., et al.

111

The argument of this cause was commenced by Mr. Henry E. Davis, of counsel for the appellants. The Court declined to hear counsel for the appellees.

Proclamation being made, the Court is adjourned

Thursday, November 7th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Rush Taggart, it is ordered that Francis N. Whitney, Esquire, of New York City; James Kelly Dixon, Esquire, of Talladega, State of Alabama, and David F. Simpson, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

37 The Chicago & Erie Railroad Co., Plaintiff in Error,
vs.
Joseph A. Ebersole.

This cause was argued by Mr. D. C. Harrington, of counsel for the

the defendant in error.

Concepcion Vove y Diaz et al.,
42. vs. Plaintiffs in Error,
Jose Arule Sanchez.

This cause was argued by Mr. Charles Hartzell, of counsel for the plaintiffs in error.

and by Mr. J. R. F. Savage, of counsel for the defendant in error.

D. L. Williams.
114 vs. Plaintiff in Error.
The City of Talladega.

The argument of this cause was commenced by Mr. Rush Taggart, of counsel for the plaintiff in error, and continued by Mr. J. K. Dixon, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Friday, November 8th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Hoke Smith, it is ordered that Lamar Hill, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George S. Coleman, it is ordered that William Herbert King, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that George H. De Reef, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

44. D. G. Williams, vs. Plaintiff in Error, The City of Talladega. The argument of this cause was continued by Mr. J. K. Dixon, of counsel for the defendant in error, and concluded by Mr. William M. Williams, of counsel for the plaintiff in error.

45. Jessie E. Thompson, vs. Appellant, Charles N. Thompson. This cause was argued by Mr. William M. Levin, of counsel for the appellant, and by Mr. Joseph W. Cox, of counsel for the appellee.

15. James P. McGovern, vs. Plaintiff in Error, The City of New York. This cause was argued by Mr. E. A. Alexander, of counsel for the plaintiff in error, and submitted by Mr. Louis C. White, of counsel for the defendant in error.

116 Union Trust Co. of St. Louis, Executor, etc., vs. Plaintiff in Error
Ben. Westhues et al.

Plaintiff in error.

The argument of this cause was commenced by Mr. H. T. Newcomb, of counsel for the

Proclamation being made, the Court is adjourned

Monday, November 11th, 1912.

Pursuant to adjournment, the Court met to-day at the Capitol

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. E. Parmalee Prentice, it is ordered that John Griffin, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. A. Ford, it is ordered that Frederick Tupper Saussy, Esquire, of Savannah, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James B. Vredenburgh, it is ordered that Albert C. Wall, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that Earle P. Carman and Joseph D. Imhoff, Esquires, of Pittsburgh, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. C. Bryan, it is ordered that Wallace Townsend, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Hamilton, it is ordered that Andrew J. Shipman and Edmund L. Mooney, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Bullitt, it is ordered that

of Ohio, and Edwin Terwilliger, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred P. Thom, it is ordered that Robert B. Tunstall, Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Thomas R. Woodrow, Esquire, of Denver, State of Colorado, and Herbert Fitzpatrick, Esquire, of Huntington, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Mgr. Jeremiah J. Harty,
Appellant and Plaintiff in Error,
vs.
The Municipality of Vielorca

Appeal from and in error to the Supreme Court of the Philippine Islands.

13.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now

that this appeal and the writ of error in this cause be, and the same are hereby, dismissed for the want of jurisdiction.

per Mr. Justice Holmes

The United States of America
Cincinnati & Columbus Traction Co. and Interstate Commerce Commission.
vs. Appellants,
Baltimore & Ohio Southwestern Railroad Co. and The Norfolk & Western Railway Co.

Appeal from the United States Commerce Court.

645.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Holmes

John F. Hanson,
vs. Plaintiff in Error.
Emil Gustafson

In Error to the Supreme Court of the State of Kansas.

24.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration

by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

312. The National Telephone Manufacturing Co., Plaintiff in Error, vs. The American Bell Telephone Co. } In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Massachusetts.

Per Mr. Chief Justice White

The Chicago & Erie Railroad Company,
vs. Plaintiff in Error,
57. Joseph A. Ebersole.

In Error to the Supreme Court of the State of Indiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

P. L. Rogers,
576. vs. Plaintiff in Error,
The State of Arkansas
L. P. Barnhill,
577 vs. Plaintiff in Error,
The State of Arkansas.

On consideration of the motion to advance these cases for hearing in connection with cases Nos. 127 and 128, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

The Michigan Central Railroad Co.,
242. vs. Plaintiff in Error,
Daniel B. Vreeland, Administrator, etc.

It is ordered by the Court that this cause be placed on the summary docket.

per Mr. Chief Justice White.

Monday, November 11th, 1912, continued.

658	Warren B. Wheeler, vs. Plaintiff in Error. The United States	It is ordered by the Court that these cases be placed on the summary docket. per Mr. Chief Justice White.
659.	Stillman Shaw. vs. Plaintiff in Error. The United States.	
660	Warren B. Wheeler. vs. Appellant, Guy Murchie, U. S. Marshal, &c.	
661.	Stillman Shaw. Appellant, Guy Murchie, U. S. Marshal, &c.	
822.	John L. Hart, Administrator of the Estate of Chester B. Starr, deceased, vs. Petitioner. Northern Pacific Railway Company.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr Chief Justice White

Order.

It is now here ordered by the Court that the cases which have been transferred to the summary docket be, and they are hereby, assigned for hearing on Monday, December 2d next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

The Chief Justice also announced that the Court will take a recess from Monday, the 18th instant, to Monday, December 2 next.

No. 830. John W. Patterson, Petitioner, vs. The United States. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Matthew E. O'Brien in support of the same, and by Mr. Assistant Attorney General Harr in opposition thereto.

No. 812. The Post Printing & Publishing Co. et al., Plaintiffs in Error, vs. John F. Shafroth, as Governor, etc., et al. — The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Watson E. Coleman in behalf of Mr. Benjamin Griffith, Mr. Henry J. Hersey, Mr. F. A. Williams and Mr.

in error, in support of the motion, and by Mr. Booth M. Malone, of counsel for the plaintiffs in error, in opposition thereto.

M. M. Bright, Administrator of Robert Larek, deceased,
vs.
The Chesapeake & Ohio Railway Co.

Mr. Herbert Fitzpatrick, of counsel for the defendant, submitted to the consideration of the Court a petition for a writ of error in this cause.

The United States of America,
697. vs. Plaintiff in Error,
Pacific & Arctic Railway & Navigation Co. et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Harvey M. Friend in behalf of Mr. Morven Thompson, Mr. Carroll B. Graves, Mr. Lewis P. Shackelford, Mr. W. B. Stratton and Mr. Ira Bronson, of counsel for the defendants in error, in support of the motion, and by Mr. Solicitor General Bullitt and Mr. Assistant Attorney General Adkins, of counsel for the plaintiff in error, in opposition thereto.

Northern Pacific Railway Co., et al.,
47. vs. Appellants,

On motion of Mr. Samuel W. Moore in behal

hereby granted to file a brief in this cause as amicus curiae.

741. Continental & Commercial Trust & Savings Bank, vs. Appellant, Chicago Title & Trust Co., Trustee, etc.

The motion to affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edwin Terrell, Jr., of counsel for the appellee in support of the motion, and by Mr. Horace Kent Tenney and Mr. Roger Sherman of counsel for the appellant in opposition thereto.

842. John A. Johnson, vs. Appellant, Luman T. Hoy, United States Marshal, etc.

The motion to admit the appellant in this cause to bail pending this appeal was submitted to the consideration of the Court by Mr. Benjamin C. Bachrach, of counsel for the appellant, and leave was granted the Solicitor General to file a brief in opposition thereto on or before Wednesday next.

116. Peter J. O'Reilly, vs. Plaintiff in Error, Dora F. Moxon, as administratrix, etc.

Mr. Henry B. O'Reilly, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Clara A. Wheeler et al.,
4773. vs. Appellants.
The City and County of
Denver et al

The motion to advance this cause under the thirty second rule was submitted to the consideration of the Court by Mr. A. B. Browne in behalf of Mr. Edwin A. Park, of counsel for the appellants, in support of the motion, and by Mr. W. H. Bryant, of counsel for the appellees in opposition thereto

Emma R. McCabe,
Administratrix, etc.,
138 vs. Plaintiff in Error.
The Maysville & Big
Sandy Railroad Co. et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. L. Worthington, of counsel for the defendants in error, in support of the motion, and by Mr. Allan D. Cole, of counsel for the plaintiff in error, in opposition thereto.

Eliza B. Clinger,
Administratrix, &c.,
236 vs. Plaintiff in Error.
The Chesapeake & Ohio
Railway Co. of Kentucky et al

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. L.

error, in support of the motion, and by Mr. Allan D. Cole, of counsel for the plaintiff in error, in opposition thereto.

635 William H. Wadkins, Natural Tutor, etc., vs. Plaintiff in Error, Producers Oil Co. et al. — The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Amos L. Beaty, of counsel for the defendants in error, in support of the motion, and by Mr. W. P. Hall, of counsel for the plaintiff in error, in opposition thereto.

1206 The Minneapolis & St. Louis Railroad Co., vs. Plaintiff in Error, Clarence C. Gray. — In Error to the Supreme Court of the State of Minnesota.

It appearing to the Court that the authority of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said authority, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Union Trust Co. of St. Louis, Executor, etc., Plaintiff in Error,
vs.
Ben Westhus et al.

The argument of this cause was continued by Mr. A. T. Newcomb, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Harr, of counsel for the defendants in error, and concluded by Mr. A. T. Newcomb, of counsel for the plaintiff in error.

Northern Pacific Railway Co. et al., Appellants,
vs.
Joseph N. Boyd.

On motion of Mr. Charles Donnelly, of counsel for the appellants,

three hours are allowed each side in the argument of this case. The argument of this cause was commenced by Mr. Charles Donnelly, of counsel for the appellants, and continued by Mr. George Turner, of counsel for the appellee.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, November 12, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles W. Cobb, it is ordered that Samuel Adams, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert W. Williams, Jr., it is ordered that W. F. Staley and Fred Lee, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Donnelly, it is ordered that Herbert T. Park, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

47. Northern Pacific Railway Co., et al., Appellants, vs. Joseph H. Boyd. The argument of this cause was continued by Mr. George Turner and Mr. R. L. Edmiston, of counsel for the appellee, and concluded by Mr. Francis Lynde Stetson, of counsel for the appellants.

48. J. E. Eubank, Plaintiff in Error, vs. The City of Richmond. The argument of this cause was commenced by Mr. S. S. P. Patteson, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Wednesday, November 13th. 1912.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mrs. Ellen Spencer Mussey, it is ordered that Sophie B. Kent and Laura B. Cooper, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E Richardson, it is ordered that Charles W. Moores, Esquire, of Indianapolis State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and

Wednesday, November 13th, 1912 continued

On motion first made to the Court in this behalf by Mr. James B. Horigan, it is ordered that Alfred Roy Hulbert, Esquire, of Chicago, State of Illinois, and Harold Hirsch, Esquire, of Atlanta, State of Georgia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Francis E. Wood, Esquire, of Albuquerque, State of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Love Hopkins, it is ordered that Leander G. Pope, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

W. Schneider Wholesale Wine & Liquor Co., Appellant
vs.
August Diederich

629

Mr. James Love Hopkins, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

Yazoo & Mississippi Valley Railroad Co., Plaintiff in Error, vs. Jackson Vinegar Co. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward Mayes and Mr. Charles N. Burch, of counsel for the plaintiff in error, and by Mr. William H. Watkins, of counsel for the defendant in error.

547

A. W. Moss, Plaintiff in Error, vs. The Baltimore & Ohio Southwestern Railway Co. — In Error to the District Court of the United States for the Northern District of Texas.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

548

J. E. Eubank, Plaintiff in Error, vs. The City of Richmond — The argument of this cause was continued by Mr. H. R. Pollard, of counsel for the defendant in error, and concluded by Mr. S. S. P. Patteson, of counsel for the plaintiff in

49. Toyota. vs Plaintiff in Error, The Territory of Hawaii. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. D. W. Burchard and Mr. A. L. C. Atkinson, of counsel for the plaintiff in error, and by Mr. Charles E. Hemenway, of counsel for the defendant in error.

50. The New York Central & Hudson River Railroad Co., vs Plaintiff in Error, The Board of Chosen Freeholders of the County of Hudson. The argument of this cause was commenced by Mr. Albert C. Walker, of counsel for the plaintiff in error, continued by Mr. E. Parmalee Prentice, of counsel for the defendant in error, and concluded by Mr. Frank Bergen, of counsel for the plaintiff in error.

51. Central Lumber Co., vs Plaintiff in Error, State of South Dakota. The argument of this cause was commenced by Mr. David F. Simpson, of counsel for the plaintiff in error.

Proclamation being made, the Court is ad-

Thursday November 14th. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bullitt, it is ordered that Thomas L. Hartigan, Esquire, of Manila, Philippine Islands, and Morris Kempel, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Branch P. Kerfoot, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. George Sutherland, it is ordered that Samuel W. Stewart, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

William McCoach, Collector of Internal Revenue,
vs. Petitioner,
Minehill & Schuylkill Haven Railroad Co.

Mr. Solicitor General Bullitt, of counsel for the petitioner, submitted to the consideration of the Court a motion to advance this cause

Central Lumber Co.,
51. vs. Plaintiff in Error,
State of South Dakota

The argument of this cause was continued by Mr. David F. Simpson, of counsel for the plaintiff in error. The Court declined to hear further argument.

The Missouri Pacific Railway Co.,
52. vs. Plaintiff in Error,
J. W. Tucker.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Balie P. Waggener, of counsel for the plaintiff in error, and by Mr. John S. Dawson, of counsel for the defendant in error.

53 Urzulia Zaxonaite, Appellant, vs. Casper J. Wolf, Jailor, etc

This cause was argued by Mr. L. G. Pope, of counsel for the appellant, and by Mr. Assistant Attorney General Harr, of counsel for the appellee

54 Yazoo & Mississippi Valley Railroad Co., Plaintiff in Error, vs. Greenwood Grocery Co.

The argument of this cause was commenced by Mr. Charles N. Burch, of counsel for the plaintiff in error; continued by Mr. Harry Peyton, of counsel for the defendant in error, and concluded by Mr. Edward Mayer, of counsel for the plaintiff in error

55 The Southwestern Brewery & Ice Co., et al., Plaintiffs in Error, vs. Joseph Schmidt

The argument of this cause was commenced by Mr. Francis E. Wood, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned until tomorrow at

Friday, November 15th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Maxwell Evarts, it is ordered that John R. Halsey, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. William H. King, it is ordered that Lawson Purdy, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

931 Walter B. Grant et al.,
vs. Appts. and Plffs in Error.
The United States.

Mr. Assistant Attorney General Harr, of counsel for the appellee and defendant in error, submitted to the consideration of the Court a motion to advance this cause

Annie Lapina,
665 vs. Petitioner.
William Williams, Commissioner of Immigration

On motion of Mr. Assistant Attorney General Harr, of counsel for the respondent, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 7, rule 26.

780 U. L. Crenshaw,
vs. Appellant.
Carroll Allen, as Trustee in Bankruptcy of the estate of Fred Derr, Bankrupt.

Appeal from the United States Circuit Court of Appeals for the Ninth Circuit

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed Therefore, in pursuance of said stipulation, it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, each party paying their own costs.

per Mr Chief Justice White.

Friday. November 15th, 1912. continued

55. The Southwestern Brewery & Ice Co. et al. vs. Joseph Schmidt. Plaintiffs in Error.

The argument of this cause was concluded by Mr. Francis E. Wood of counsel for the plaintiffs in error. and the cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Neill B. Field, of counsel for the defendant in error.

56. Frederick C. Robertson vs. Hugh H. Gordon et al. Appellant.

This cause was argued by Mr. George H. Lamar, of counsel for the appellant. and by Mr. Henry E. Davis, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Monday, November 18th, 1912

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Cornelius W. Wickersham, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leigh Robinson, it is ordered that Charles J. Wortham, Esquire, of Napoleonville, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Justin M. Chamberlin, it is ordered that Charles Barker Fernald, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Ridout, it is ordered that Frank Prentiss Deering, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hosea B. Moulton, it is ordered that John T. Mulligan, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Prescott Gatley, it is ordered that George Amory Maddox, Esquire, of Washington District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest Knaebel, it is ordered that

District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ormond G. Smith, George G. Smith and Cora A Gould, trading under the firm name of Strut & Smith. Appellants,
vs.
Frank H. Hitchcock, Postmaster General of the United States.

Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

Frank Tousey, Publisher, a Corporation. Appellant,
vs.
Frank H. Hitchcock, Postmaster General of the United States.

Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the tran-

of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs

Per Mr. Justice Holmes.

554. Standard Sanitary Manufacturing Co. et al. vs. The United States of America, Appellants

Appeal from the District Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice McKenna.

463. Peter J. O'Reilly vs. Dora F. Noxon, as Admx &c

Plaintiff in Error.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

1153 Clara A. Wheeler et al., vs Appellants. City and County of Denver et al.

On considera of the motion advance this It is now he dered by the that said motion be, and the same is her denied, but the case will be taken on prin briefs if the parties are so advised.

per Mr. Chief Justice

629 W. Schneider Wholesale Wine & Liquor Co., vs Appellant. August Diederich

On considera of the motion advance this It is now her dered by the that said motion be, and the same is hereb nied, but the case will be taken on printe briefs if the parties are so advised.

Per Mr. Chief Justice

674. William M. Coach, Collector of Internal Revenue, vs. Petitioner. Minehill & Schuylkill Haven Railroad Co.

On conside of the mot advance t cause, It i here order by the Cou said motion be, and the same is hereby, g and the cause assigned for argument on day, January 6, 1913, after the cases hereto assigned for that day.

831. Walter B. Grant, et al.
vs. Appellants & Plaintiffs in Error,
The United States.

It is ordered by the Court that this cause be transferred to the summary docket.

Per Mr. Chief Justice White

838. William H. Wadkins,
Natural Tutor, etc.,
vs. Plaintiff in Error
Producers Oil Co. et al

It is ordered by the Court that this cause be transferred to the summary docket.

Per Mr. Chief Justice White

830 John W Patterson.
vs. Petitioner.
The United States.

On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Emma R. McCabe, Administratrix of Peter McCabe, deceased,

138. vs. Plaintiff in Error,

The Maysville & Big Sandy Railroad Co. and The Chesapeake & Ohio Railway Co

In Error
Court of
of the Sta
Kentuck

This cause came on to be heard on the
script of the record from the Court of A
of the State of Kentucky, and on motion
mis which was argued by counsel. O
sideration whereof, It is now here ord
and adjudged by this Court that the
error in this cause be, and the same is h
dismissed for the want of jurisdiction.

Per Mr. Chief Justice

Continental and Commercial Trust and Savings Bank,

744. vs. Appellant,

Chicago Title & Trustee Co., Trustee, etc.

It is ord
by the C
that the
be trans
to the pen
docket.

Per Mr. Chief Justice

	Eliza B. Clinger, Administratrix of George B. Clinger, deceased,	In Error to the Court of Appeals of the State of Kentucky.
236.	vs. Plaintiff in Error, Chesapeake & Ohio Railway Co. of Kentucky, The Chesapeake & Ohio Railway Co. and Shannon Hall	

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

	The United States of America,	On consideration of the motion to dismiss herein, and of the argument of counsel thereupon had,
697.	vs. Plaintiff in Error, Pacific and Arctic Railway & Navigation Co.	

as well in support of as against the same, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

Monday. November 18th, 1912. contin

The Post Printing & Publishing Co., et al.,
vs. Plaintiffs in Error,
John F. Shafroth, as Governor of the State of Colorado et al.

In Error to
Supreme Cou
of the State
Colorado.

This cause came on to be heard on the trans
of the record from the Supreme Court of the S
of Colorado, and on motion to dismiss or aff
which was argued by counsel. On considera
whereof, It is now here ordered and adjud
by this Court that the writ of error in this c
be, and the same is hereby, dismissed for l
want of jurisdiction.

Per Mr. Chief Justice Wh

M. M. Bright, Administrator of Robert Larek, deceased,
vs
The Chesapeake & Ohio Railway Co

On considerat
of the petition
The Chesapeak
Ohio Railway C
pany for a writ
error herein, It
now here ordere
by the Court that the said petition be, and t
same is hereby, denied

Per Mr. Chief Justice Wh

374	Chan Kam, vs Appellant, Luther C. Steward and H. Edsell.	The motion to affirm in these cases was submitted to the consideration of the Court on the record and printed argument by Mr. Attorney General Wickersham, Mr. Solicitor General Bullitt and Mr. Assistant Attorney General Harr, of counsel for the appellees in support
375	Yuet Sing alias Lee So Mui, vs. Appellant, Luther C. Steward and H. Edsell	

of the motion

812	John A. Johnson, vs Appellant, Luman T. Hoy, United States Marshal, etc.	Mr. Attorney General Wickersham, in behalf of Mr. Benjamin C. Bachrach, submitted to the

consideration of the Court a motion to advance this cause.

723	The National Discount Co. vs. Appellant, John S. Sheppard, Jr. Trustee, etc., et al.	Mr Frederic D. McKenney, in behalf of counsel for the appellees, submitted to the consid

eration of the Court a motion to advance this cause.

85 Louis E. Smoot, Appellant, vs. Julia Turner Heyl et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. N. Prescott Gatley, Mr. Samuel Maddox and Mr. Barry Mohun, of counsel for the appellees in support of the motion, and by Mr. William G. Johnson, of counsel for the appellant in opposition thereto.

280 The Guardian Assurance Co. of London (Limited), Plaintiff in Error, vs. Domingo Luciana

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Clement L. Bouvé and Mr. A. N. Seaville, of counsel for the defendant in error, in support of the motion, and by Mr. Frederic D. McKenney, Mr. John Spalding Flannery and Mr. William Hoz, of counsel for the plaintiff in error, in opposition thereto.

309 E. N. Blount et al., Petitioners, vs. George E. Downs et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. C. McReynolds and Mr. George C. Greer, in sup-

Evarts and Mr. N M. Garwood in opposition thereto

504 Etta L. Sanford et al., Appellants, vs. Santiago Arnaz, Administrator, etc.

The motion to affirm in this cause was submitted to the consideration of the Court on printed arguments by Mrs. Sarah N. Sorin, of counsel for the appellee in support of the motion, and by Mr. William C. Prentice and Mr. Fred McKee, of counsel for the appellants in opposition thereto.

Order.

It is ordered by the Court that the cases this day ordered transferred to the summary docket be, and they are hereby, assigned for hearing on Monday, January 6th, 1913, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

Proclamation being made, the Court is adjourned

Monday, December 2, 1912.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney,
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Vivian Spencer, Esquire, of Tuxedo, State of New York, and Charles F. Coleman, Esquire, of Little Rock, State of Arkansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Bullitt, it is ordered that Roy D. Keehn, Esquire, of Chicago, State of Illinois; A. A. Lilly, Esquire,

Robert T. Railey, Esquire, of St Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest Knaebel, it is ordered that Alva B. Adams, Esquire, of Pueblo, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred W. Weilzel, it is ordered that R. L. Curtis, Esquire, of Franklinville, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. M. Cleary, it is ordered that Albert L. Shinn, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. W. Baker, it is ordered that John W. Staggers, Esquire, of Washington, District of Columbia, be admitted to prac-

Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Percy V. Long, it is ordered that Charles A. Beardsley, Esquire, of Oakland, and John Francis English, Esquire, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. L. Bouvé, it is ordered that L. M. Southworth, Esquire, of Manila, Philippine, Islands, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter C. Clephane, it is ordered that Henry C. Finkel, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. S. Worthington, it is ordered that Alex. Simpson, Jr., Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that D. Worth Clark, Esquire, of Pocatello, State of Idaho, and Emery Davis Potter, Esquire, of Toledo, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Calhoun, it is ordered that William V. Eaton, Esquire, of Paducah, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Reid, it is ordered that W. H. Dunn, Esquire, of Roswell, State of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Reeves T. Strickland, it is ordered that A. L. Gilbert, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that Chelan Beale, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The National Surety Co., Plaintiff in Error, vs. The Architectural Decorating Co. — In Error to the Supreme Court of the State of Minnesota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney

James W. Beach, Appellant, vs. The United States. — Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and

Benjamin Rosenthal. Plaintiff in Error
vs.
The People of the State of New York. In Error to the County Court of Monroe County, State of New York.

This cause came on to be heard on the transcript of the record from the County Court of Monroe County, State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said County Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney

Urszula Zakonaite, Appellant,
vs.
Casper J. Wolf, Jailor of the City of St. Louis. Appeal from the District Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney

German Alliance Insurance Co., Petitioner, vs. Home Water Supply Co. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of South Carolina.

Per Mr. Justice Lamar

Concepcion Vere y Diaz, Jose Sastrano Belaval, her husband, et al., Plaintiffs in Error, vs. Jose Avale Sanchez. In Error to the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration

judged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Lamar

Yazoo & Mississippi Valley Railroad Co. vs. Jackson Vinegar Co. — In Error to the Circuit Court of Hinds County, State of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of Hinds County, State of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Mississippi.

Per Mr. Justice Van Devanter

Buck Stove & Range Co. Samuel Cupples Woodenware Co., St Louis Refrigerator & Wooden Gutter Co., and St Louis Glass & Queensware Co.,

vs. Plaintiffs in Error,

C. C. Vickers, Mary P. Vickers and P. B. Madson

In Error to the Supreme Court of the State of Kansas.

10.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause as to the plaintiffs in error, Buck Stove & Range Co., Samuel Cupples Woodenware Co., St. Louis Refrigerator & Wooden Gutter Co., and St. Louis Glass & Queensware Co., be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Van Devanter

Mr. Justice Pitney did not hear the argument or participate in the decision of this case.

	Purity Extract & Tonic Co., and The United States Fidelity & Guaranty Co.,	In Error to the Supreme Court of the State of Mississippi.
1164.	vs. Plaintiffs in Error,	
	C. C. Lynch.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes

	Toyota,	In Error to the
119.	vs. Plaintiff in Error,	Supreme Court of
	The Territory of Hawaii	the Territory of Hawaii

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes

Order allowing writ of supersedeas in this case.

Tobias Miller,
1175. vs. Plaintiff in Error,
Seconds Guastie and
Juan A. Bernard.

In Error to the
Supreme Court of
the State of New
York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and on motion to affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

Four Hundred and Forty-
three Cans of Frozen Egg
Product, A. J. Reich Co.,
Claimant.

340 vs. Appellant & Plaintiff in Error,
The United States of America

Appeal from and
In Error to the
United States
Circuit Court
of Appeals
for the Third
Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court of Appeals in this cause be, and the same is hereby, reversed; and that

ed to the said Circuit Court of Appeals with directions to dismiss the appeal for want of jurisdiction

Per Mr. Justice Day.

The United States of America.	Appeal from the Circuit Court of the United States for the District of Utah.
vs. Appellant,	
The Union Pacific Railroad Co. et al.	

1116

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed as to the acquisition of the stock of the Southern Pacific Company by the Union Pacific Railroad Company, and in all other respects that said decree be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Utah with directions to enter a decree and for further proceedings in conformity with the opinion of this Court, the said District Court to retain jurisdiction to see that such decree is made effectual.

Mr. Justice Van Devanter took no part in hearing or determination of this case.

Augusto Burnet,
vs. Appellant,
Josefa and Isabel
Desmornes y Alvarez

Appeal from the
Supreme Court of
Porto Rico.

This cause came on to be heard on the transcript of the record from the Supreme Court of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Frank N. Jones, Trustee
in bankruptcy of the Oro
Dredging Co.,
vs. Appellant,
Charles Springer

Appeal from the
Supreme Court
of the Territory of
New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded

Monday, December 2d, 1912, continued

51. Central Lumber Co., Plaintiff in Error, vs. The State of South Dakota. In Error to the Supreme Court of the State of South Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

53. The Southwestern Brewery and Ice Co., Don J. Rankin, Henry Loebs and Otto Dieckmann, Plaintiffs in Error, vs. Joseph Schmidt. In Error to the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of

cause be, and the same is hereby, remanded to the Supreme Court of the State of New Mexico.

Per Mr. Justice Holmes

Selover, Bates & Co., Plaintiff in Error,
vs.
Ella J. Walsh.

In Error to the Supreme Court of the State of Minnesota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of Minnesota.

Per Mr. Justice McKenna

Dissenting:
Mr. Chief Justice White
Mr. Justice Van Devanter.

Brooke P. Taylor, Nannie M. McCormick, Rosalie McCormick et al.,
vs. Appellants.
Columbian University (now known in law as George Washington University) and Johns Hopkins University

Appeal from the Court of Appeals of the District of Columbia.

script of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

48. J. E. Eubank, Plaintiff in Error, vs. The City of Richmond. In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice McKenna.

The First National Bank of Princeton, Illinois, et al., Appellants, v. Charles E. Littlefield, Trustee, in Bankruptcy of Albert O. Brown, et al.

Appeal fr
United St
Circuit C
Appeals f
Second Ci

This cause came on to be heard on the
script of the record from the United Sta
Circuit Court of Appeals for the Second
cuit, and was argued by counsel. On
eration whereof, It is now here ordered
judged and decreed by this Court that
decree of the said United States Circuit
of Appeals in this cause be, and the sa
hereby, affirmed with costs; and that th
be, and the same is hereby, remanded
District Court of the United States for t
ern District of New York.

Per Mr. Chief Justic

Louisiana Navigation Co., Limited, Plaintiff in Error, v. Oyster Commission of Louisiana, E. C. Jorelian Canning Co., and Dunbar, Lopez & Dukate Co.

In Erro
the Supr
Court of
of Louisi

This cause came on to be heard on the

of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

E. B. Deming, Deming, Gould Co., and Pacific American Fisheries, Plaintiffs in Error, vs. Carlisle Packing Co.

511. In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs, and five per cent. damages, in addition to interest at the same rate per annum that similar judgments bear in the courts of the State of Washington.

Per Mr. Chief Justice White.

Union Trust Co. of St. Louis, Executor, etc.,
vs. Plaintiff in Error,
Ben Westhus and E. B. Allen, Collector, etc.

This cause
on to be he
the transcri
the record
the Circuit
of the Unite
for the Eastern District of Missouri, and
appearing to the Court from a statement
the brief of counsel for the defendants in
that prior to the suing out of this writ
the case was carried to the United State
Circuit Court of Appeals for the Eighth
and the substantial questions in the cau
which were argued at the bar were by t
court passed upon in a decision by it
ed. Therefore, It is ordered that the consi
tion of this cause be, and the same is he
postponed until a complete record is fu
To that end, the court below is hereby direc
to at once certify a supplementary record
Court showing the state of the record when
case was previously taken to the Circuit
of Appeals, the mandate of that court, an
proceedings under the assumed authority
which the judgment now before this Cour
rendered, and upon which the subsequen
writ of error was sued out, so far as the s
does not appear in the transcript of recor
heretofore sent to this Court, the costs of
supplementary record and the printing
thereof to be taxed

error, to abide the result.

Per Mr. Chief Justice White.

374. Chan Kau, Appellant, vs. Luther C. Steward and N. Eduds. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and on motion to affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of California.

Per Mr. Chief Justice White.

375. Yuet Ping, alias Lee So Mui, Appellant, vs. Luther C. Steward and N. Eades. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the tran

of the United States for the Northern D
of California, and on motion to affirm
was argued by counsel. On consider
whereof, It is now here ordered, adjud
decreed by this Court that the final o
the said Circuit Court in this cause be
the same is hereby affirmed with cost
Further ordered that this cause be, a
same is hereby remanded to the Dis
Court of the United States for the Nor
District of California

Per Mr. Chief Justic

723. The National Discount Co., Appellant, vs. John S. Sheppard, Jr., Trustee, etc., et al.

On consi
tion of
tion to a
this cau
now here

by the Court that said motion be, and
is hereby denied.

Per Mr. Chief Justi

842. John A. Johnson, Appellant, vs. Luman T. Hoy, U. S. Marshal, etc.

On consider
of the moti
advance thi
It is now he
dered by the

that said motion be, and the same is
granted, and the cause assigned for a
on Monday, January 6th, 1913, after o

Monday, December 2d, 1912, continued.

	E. A. Blount and Garrison-Norton Lumber Co., Petitioners. vs. George E. Downs and Stephen W. Blount.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

85	Lewis E. Smoot, Appellant. vs. Julia Turner Keye et al.	It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White.

280	The Guardian Assurance Co of London, Limited, Plaintiff in Error, vs. Domingo Quintana	It is ordered by the Court that this cause be placed on the summary dock

January 6th, 1913, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

The United States of America, Complainant, vs. The People of the State of New York and John E. Andrus, William Archer, and John J. Brown, as Commissioners of the Bronx River Valley Sewer.

This cause having been called to the attention of the Court by Mr. Solicitor General Bullitt, of counsel for the complainant, and he having moved the Court to dismiss the bill of complaint herein without prejudice pursuant to a stipulation of the parties this day filed, Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that the bill of complaint herein be, and the same is hereby, dismissed without prejudice.

Per Mr. Chief Justice White

691. Lester P. Bartell, Plaintiff in Error, vs. The United States

Mr. Solicitor General Bullitt in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

562. The United States et al. vs. The Baltimore & Ohio Railroad Co., et al. Appellants

Mr. Solicitor General Bullitt, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

793. Marius Calmels, vs. Samuel W. Backus, Commissioner of Immigration at the Port of San Francisco, California. Appellant.

Appeal from the District Court of the United States for the Northern District of California

This cause having been called to the attention of the Court by Mr. Corry M. Gladden, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

794. Victor Viviol. vs. Samuel W. Backus, Commissioner of Immigration at the Port of San Francisco, California. Appellant.

Appeal from the District Court of the United States for the Northern District of California

of the Court by Mr. Corry M. Stadden, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

795. Leopold Calmels, Appellant, vs. Samuel W. Backus, Commissioner of Immigration at the Port of San Francisco, California. Appeal from the District Court of the United States for the Northern District of California

This cause having been called to the attention of the Court by Mr. Corry M. Stadden, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

796. Marie Louise Calmels, Appellant, vs. Samuel W. Backus, Commissioner of Immigration at the Port of San Francisco, California. Appeal from the District Court of the United States for the Northern District of California

of the Court by Mr. Corry M. Gladden, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

777. Valerie Salmels, vs. Samuel W. Backus, Commissioner of Immigration at the Port of San Francisco, California. Appellant. Appeal from the District Court of the United States for the Northern District of California.

This cause having been called to the attention of the Court by Mr. Corry M. Gladden of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

646. The State of Florida on the relation of Sydney J. Wailes, vs. A. C. Croom, Comptroller, etc. Plaintiff in Error. The motion to dismiss in this cause was submitted to the consider-

printed argument by Mr. W. S. Jennings, Mr. E. J. L'Engle and Mr. Park Trammell, of counsel for the defendant in error, in support of the motion.

855. The Work Mining and Milling Co., Petitioner, vs. The Doctor Jack Pot Mining Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Frederic D. McKenney in behalf of Mr. Charles S. Thomas, Mr. Henry C. Hall, Mr W. A. Bryant and Mr. George L. Nye in support of the same, and Mr. William V. Hodges in opposition thereto.

841 Dan Kovoloff, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Simon Lyon in behalf of Mr. Benjamin C. Bachrach and Mr. John F. Yeiling in support of the same, and Mr Solicitor General Bullitt in opposition thereto.

850. Farmers & Merchants Bank of Vandalia, Ill., Petitioner, vs. The petition for a writ of certiorari herein was submit

ation of the Court on printed arguments by Mr. C. L. Bouvé in behalf of Mr. Bernard B. Selling in support of the same, and by Mr. John C. Donnelly in opposition thereto.

Lizzie M. Troxell, Administratrix, etc., Plaintiff in Error, vs. The Delaware, Lackawanna & Western Railroad Company

854

Mr. George Demming, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Byron E. Van Auken et al., Petitioners, vs. The Monash Younker Co.

860 & 861.

The petition for writs of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. Nota McGill in behalf of Mr. C. Clarence Poole, in support of the same, and Mr. Thomas A. Banning in opposition thereto.

59 Joseph Marrone,
vs. Plaintiff in Error,
The Washington Jockey
Club of the District of Co-
lumbia.

60 Anne Sweeney,
vs. Plaintiff in Error,
William G. Erving
National Safe Deposit, Savings
& Trust Co. of the District of
Columbia,

79 vs. Plaintiff in Error,
William B. Hibbs.

On motion of Mr. A. S. Worthington, of counsel for the defendants in error in Nos. 59 and 60, and for the plaintiff in error in No. 79, It is ordered by the Court that these cases be, and they are hereby, passed, subject to the provisions of section 4 of rule 26.

538 St. Louis Southwestern
Railway Co. of Texas,
vs. Plaintiff in Error
Robert Alexander.

The motion to advance this cause under the 32d rule being granted, the cause was submitted pursuant thereto by Mr. Lawrence Greer and Mr. F. C. Nicodemus, Jr., of counsel for the plaintiff in error, and by Mr. Phelan Beale, of counsel for the defendant in error.

505 Florida East Coast Rail-
way Co.,
vs. Appellant,
The United States et al.

Mr. Frederick C. Bryan and Mr. Alex St Clair Abrams, of coun

bank, submitted to the consideration of the Court a motion to advance this cause.

855 Florida East Coast Railway Co., Appellant vs. The United States et al. The motion for a supersedeas in this cause was submitted to the consideration of the Court on a printed argument by Mr. Frederick C. Bryan and Mr. Alex. St Clair Abrams, of counsel for the appellant in support of the motion, and leave was granted the Solicitor General to file a brief in opposition thereto within two days.

320 Charles R. Heike, Petitioner vs. The United States. The motion to reassign this cause was submitted to the consideration of the Court on printed arguments by Mr. James M. Beck in behalf of Mr. John B. Stanchfield, of counsel for the petitioner, in support of the motion, and by Mr. Solicitor General Bullitt, of counsel for the respondent, in opposition thereto.

332 R. H. Downman, Plaintiff in Error, vs. The State of Texas. Mr. J. D. Walthall, of counsel for the defendant in error, submitted to the consideration of the Court a motion to ad

George Harrington et al.,
vs. Appellants.
The Atlantic & Pacific
Telegraph Co, et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Rush Taggart and Mr. John F. Dillon, of counsel for the appellees in support of the motion, and by Mr. Frederick J. Stone, Mr. Alton B. Parker, and Mr. William J. Wallace, of counsel for the appellants in opposition thereto.

409

George Harrington et al.,
vs. Appellants,
The Atlantic & Pacific
Telegraph Co et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Frederick J. Stone, Mr. Alton B. Parker and Mr William J. Wallace, of counsel for the appellants in support of the same, and by Mr Rush Taggart and Mr. John F. Dillon, of counsel for the appellees in opposition thereto.

J. B. Williams Cypress Co.,
Limited.
vs. Plaintiff in Error,
State of Louisiana

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed argu-

for the defendant in error, in support of the motion, and by Mr. C. R. Beattie, of counsel for the plaintiff in error, in opposition thereto.

Gulf, Colorado & Santa Fe Railway Co., Plaintiff in Error, vs. Mary J. McGinnis, Administratrix, etc. 762.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Wilbourn Pearce and Mr. A. L. Curtis, of counsel for the defendant in error, in support of the same, and by Mr. J. W. Terry, Mr. A. B. Browne, Mr. A. A. Culwell and Mr. Gardenier Lathrop, of counsel for the plaintiff in error, in opposition thereto.

The Singer Manufacturing Co., Appellant, vs. Wirt Adams, State Revenue Agent of Miss. et al. 295

It is ordered by the Court that this cause be, and the same is hereby, passed for settlement

818 The Journal of Commerce and Commercial Bulletin, Appellant.
vs.
Frank H. Hitchcock Postmaster General, etc. et al.

Leuri Publishing Co., Appellant,
vs.
Edward M. Morgan, Postmaster etc.

The argument of these cases was commenced by Mr. R. C. Morris, of counsel for the appellant in No. 818, and continued by Mr. Solicitor General Bullitt, of counsel for the appellees.

Proclamation being made, the Court is ad-

Tuesday. December 3d. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr George H. Macdonald, it is ordered that Harry Lea Dodson, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Melville Church, it is ordered that Carl A. Richmond, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

818 The Journal of Commerce and Commercial Bulletin, Appellant, vs. Frank H. Hitchcock, Postmaster General, etc., et al.

819 Lewis Publishing Co., Appellant, vs. Edward M. Morgan, Postmaster, etc.

The argument of these cases was continued by Mr. Solicitor General Bullitt, of counsel for the appellees, and concluded by Mr. James M. Beck, of counsel for the appellant in No. 819.

817 Missouri, Kansas & Texas Railway Co., Plaintiff in Error, vs. Mrs Sallie C. Wulf,

This cause was argued by Mr. Judson N. Wood, of counsel for the defendant in error, and submitted on a printed argument by Mr. James Hagerman and Mr. Joseph M. Bryson, of counsel for the plaintiff in error.

609 Seaboard Air Line Railway, Plaintiff in Error, vs P. R. Moore.

This cause was argued by Mr. George C. Bedell of counsel for the defendant in error, and submitted on a printed argument by Mr. James F. Glenn, of counsel for the plaintiff in error.

253 El Paso & Southwestern Railroad Co., Plaintiff in Error vs

This cause was argued by Mr. N. B. Browne, of

Tuesday. December 3d, 1912. continued

plaintiff in error, and by Mr. Philip W. Frey, of counsel for the defendants in error.

James A. Murray, doing business as the Pocatello Water Co.,
575 vs Plaintiff in Error,
The City of Pocatello
in error.

The argument of this cause was commenced by Mr. William V. Hodges, of counsel for the plaintiff

Proclamation being made, the Court is ad-

Wednesday, December 4th, 1912

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Maynard F. Stiles, it is ordered that Thaddeus S. Clark, Esquire, of Charleston, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Frank Keiper, Esquire, of Rochester, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Wednesday, December 4th, 1912, continued.

On motion first made to the Court in this behalf by Mr William S. Hodges, it is ordered that Charles M. Nissen, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward F. Colladay, it is ordered that Frank E. Prigg, Esquire, of Hutchinson, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr William Henry Dennis, it is ordered that Richard A. Curtin, and Robert E. McNamara, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

107. Ole Monson, Plaintiff in Error, vs. S. J. Simonson.

The motion for an alias citation in this cause was submitted to the consideration of the Court by Mr Moses E. Clapp in behalf of Mr. M. D. Munn, of counsel for the plaintiff in error

Mitchell Coal & Coke Co.,
vs. Plaintiff in Error,
Pennsylvania Railroad Co. 6/14

This cause was submitted to the consideration of the Court on the record and printed arguments pursuant to the twentieth rule, by Mr. George S. Graham, of counsel for the plaintiff in error, and by Mr. John G. Johnson and Mr. Francis I. Gowen, of counsel for the defendant in error.

James A. Murray, doing business as The Socatello Water Co.,
vs. Plaintiff in Error,
The City of Socatello. 5/15

The argument of this cause was continued by Mr. William V. Hodges, of counsel for the plaintiff in error, and concluded by Mr. D. Worth Clark, of counsel for the defendant in error.

The St Louis, Iron Mountain & Southern Railway Co.,
vs Plaintiff in Error,
Mrs Cordie McWhorter, Administratrix, etc. 54

This cause was argued by Mr. R. J. Bailey, of counsel for the plaintiff in error, and by Mr. W. V. Eaton, of counsel for the defendant in error

551 The Citizens National Bank of Roswell, New Mexico, et al., vs. Appellants, George A. Davisson et al.

This cause was argued by Mr. William C. Reid, of counsel for the appellants, and by Mr. W. A. Dunn, of counsel for the appellees.

685 John Mc. Namara, vs. Appellant. William Henkel, United States Marshal, etc. et al.

This cause was argued by Mr. George Gordon Battle, of counsel for the appellant, and by Mr. Charles Fox, of counsel for the appellee.

342 The Michigan Central Railroad Co., vs Plaintiff in Error Daniel B. Vreeland, Administrator, etc.

This cause was argued by Mr Emery D. Potter, of counsel for the plaintiff in error, and by Mr. John B. Daish, of counsel for the defendant in error.

658 Warren B. Wheeler, Pff in Error, vs. The United States.
659 Stillman Shaw Pff in Error vs. The United States.
660 Warren B. Wheeler, Appe., vs. Guy Murchie U.S. Marshal &c.
661. Stillman Shaw Appe. vs. Guy Murchie U.S. Marshal &c.

These cases were submitted to the considera-

arguments by Mr. Nathan Matthews, of counsel for the plaintiffs in error and appellants, and by Mr. Solicitor General Bullitt and Mr. Assistant Attorney General Warr, of counsel for the defendants in error and appellees.

The People of the State of New York ex rel The Amoskeag Savings Bank of Manchester, New Hampshire,

vs Plaintiff in Error

Lawson Purdy et al., as Commissioners, etc., et al.

The argument of this cause was commenced by Mr. Maxwell Evarts, of counsel for the plaintiff in error, and continued by Mr. William Herbert King, of counsel for the defendants in error.

(Proclamation being made, the Court is adjourned

Thursday, December 5th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M'Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court on this behalf by Mr. Edgar D. Crumpacker, it is ordered that John B. Peterson, Esquire, of Crown Point, Virgil S. Reiter and W. J. Whinery, Esquires, of Hammond, F. N. Gavit, Esquire, of Whiting, and Willard B. Van Horne and Bradford D. L. Glazebrook, Esquires, of Indiana Harbor, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. Dh. Goldfogle, it is ordered

nati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin Rice Forman, it is ordered that Ulisse Marinoni, Jr., Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

67 Joanna Lucke.
vs. Plaintiff in Error,
J. J. Williams et al.

It is ordered by the Court that this cause be, and the same is hereby,

continued until the next term.

70 Addison Ship-y-Tuck,
vs. Plaintiff in Error,
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. E. Crane and Mr. F. T. Woodburn, of counsel for the plaintiff in error, and by Mr. Assistant Attorney General Harr, of counsel for the defendant in error.

58 The People of the State of New York ex rel The Amoskeag Savings Bank of Manchester, New Hampshire, vs. Plaintiff in Error, Lawson Purdy et al., as Commissioners, etc., The argument of this cause was continued by Mr. William Herbert King and Mr. Lawson Purdy, of counsel for the defendants in error, and concluded by Mr Maxwell Evarts, of counsel for the plaintiff in error.

61 Wallace Wood, Jr., Trustee, etc., Appellant, vs. N. Wilbert's Sons Shingle & Lumber Co., et al. This cause was argued by Mr. Benjamin Rice Forman, of counsel for the appellant, and by Mr. Clarence Samuel Hebert, of counsel for the appellee.

62. Tilley Anderson, vs. Plaintiff in Error, The State of Connecticut This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Ernest L. Averill, of counsel for the plaintiff in error, and by Mr. E. P. Arvine, of counsel for the defendant in error, and leave was granted counsel for the plaintiff in error to file a reply brief within five days.

64. Marcelina Rosaly, widow of Rabainne, vs. Appellant, Roberto Graham y Frazer. The cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Jacinto Texidor, of counsel for the appellant, and by Mr. Manuel Rodriguez Serra and Mr. Charles Harlzell, of counsel for the appellee.

65 George W. Evans, vs. Appellant, The United States. The cause was argued by Mr. J. H. Ralston and Mr. William E. Richardson, of counsel for the appellant, and by Mr Assistant Attorney General Thompson, of counsel for the appellee.

Proclamation being made the Court is ad-

Friday, December 6th, 1912.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day,
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. G. Bowdoin Craighill, it is ordered that Lon Bond, Esquire, of Chico, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Davis, it is ordered that Harvey F. Smith, Esquire, of Clarksburg, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in thier behalf by Mr. Robert J. Buckley, it is ordered that Pierre P. Garvin, Esquire, of Bayonne, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter S. Penfield, it is ordered that Walter Bachrach, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that John T. Little and Nathan B. Chadsey, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Joseph Parker Camp, Appellant,
vs
Kate Willard Boyd et al.

On motion of Mr. William E. Ambrose, of counsel for the appellant,

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of rule 26.

New Louisville Jockey Club, et al.,
vs. Plaintiffs in Error,
The City of Parkdale et al.

It is ordered by the Court that this cause be, and the same is hereby, continued per stipulation of counsel.

Patricio Ubeda,
vs. Appellant,
Agapito Zialcita

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. A. B. Browne, Mr Alexander Britton, Mr. Evans Browne, and Mr. W. A. Kincaid, of counsel for the appellant. No counsel appeared for the appellee.

Ralph A. Ewing,
vs Plaintiff in Error.
The City of Leavenworth.

This cause was argued by Mr. Branch P. Kerfoot, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

Manley Elton et ux.,
vs Plaintiffs in Error.
The City of Tacoma et al
Edward Howard et ux,
vs. Plaintiffs in Error.
The City of Tacoma et al

These cases were argued by Mr. Stanton Warburton, of counsel for the plaintiffs in error, and by Mr Herman H. Field, of counsel.

72 The American Railroad Co. of Porto Rico, Plaintiff in Error, vs. Federico Didricksen et ux. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. N. B. K. Pettingill and Mr. F. L. Cornwell, of counsel for the plaintiff in error. No brief was filed for the defendants in error.

73 Isaac A. Mansour, Appellant, vs. The United States. The argument of this cause was commenced by Mr. Paul Armitage of counsel for the appellant. The Court declined to hear counsel for the appellee.

76 E. K. Bacon, doing business as Wabash Elevator, Plaintiff in Error, vs. The People of the State of Illinois. This cause was argued by Mr. Walter Bachrach, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Louis J. Behan and Mr. Gustavus J. Tatge, of counsel for the defendant in error.

75. J. Thorburn Ross, Plaintiff in Error, vs. The State of Oregon. This cause was argued by Mr. William D. Guthrie, of counsel for the plaintiff in error, and submitted on a printed argument by Mr A. M. Crawford and Mr. Martin L. Pipes, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Monday, December 9th, 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James P. Clarke, it is ordered that Luke Lea and K. T. McConnico, Esquires, of Nashville, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George C. Fry, it is ordered that Emanuel Cohen, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George W. Kretzinger, it is ordered that George W. Kretzinger, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Dele. Trust, it is ordered that R. V. Bowden, Esquire, of El Paso, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. A. Spurry, it is ordered that Harlan E. Leach, Esquire, of Owatonna State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Frederick Dickinson, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Frederic C. Bryan, it is or

State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Thomas M. Honan, it is ordered that Joseph F. Bowers, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Charles L. Frailey, it is ordered that J. Roy Dickie, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. James M. Graham, it is ordered that Patrick F. Murray and Louis Pinderski, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Wilson, it is ordered that Edward D. Pomeroy, Esquire, of Chicago, State of Illinois, be admitted to practice as

and he was sworn accordingly.

	The United States of America, upon the application of the Attorney General, at the request of the Interstate Commerce Commission,	Appeals from the United States Commerce Court
621	vs. Appellants	
	Union Stock Yard & Transit Company of Chicago, et al and The Chicago Junction Railway Company.	
622	Appellant	
	The United States of America upon the application of the Attorney General at the request of the Interstate Commerce Commission.	

This cause came on to be heard on the transcript of the record from the United States Commerce Court on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that so much of the decree of the said United States Commerce Court as is appealed from by The United States of America, upon the application of the Attorney General, at the request of the Interstate Commerce Commission be, and the

of the said decree as is appealed from by the Chicago Junction Railway Company be, and the same is hereby, affirmed; and that the cause be, and the same is hereby, remanded to the said United States Commerce Court for the entry of a decree in conformity with the opinion of this Court.

Per Mr. Justice Day.

760 F. B. Williams Cypress Co. vs. The State of Louisiana — Plaintiff in Error, — In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

582 R. N. Downman, vs. The State of Texas — Plaintiff in Error. — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

691 Lester P. Bartell, Plaintiff in Error, vs The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 6th next, after the cases heretofore assigned for that day.

per Mr Chief Justice White

854 Lizzie M. Troxell, Administratrix, etc., Plaintiff in Error, vs The Delaware, Lackawanna & Western Railroad Co. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 6th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

855 Florida East Coast Railway Co., Appellant, vs. The United States et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is here

argument on Monday, January 6th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

No. 2. The United States et al., Appellants, vs. The Baltimore & Ohio Railroad Co., et al. On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 6th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

No. The Chf. Colorado & Santa Fe Railway Co., vs. Plaintiff in Error, Mary J. McGinnis, Administratrix, etc. It is ordered by the Court that this cause be placed on the summary docket, and assigned for argument on Monday, January 6th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

10. Otto Monson, vs. Plaintiff in Error, S. J. Simonson On consideration of the motion for an alias citation herein, It is now here ordered by the Court that the said mo-

tion be, and the same is hereby, granted.

Per Mr. Chief Justice White.

520 Charles R. Heidt, Petitioner, vs. The United States. On consideration of the motion to recall and sign this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

558 Florida East Coast Railway Co., Appellant, vs. The United States et al. On consideration of the motion for a supersedeas herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1109 George Harrington, Thomas A. Edison et al., Appellants, vs. The Atlantic & Pacific Telegraph Co. et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

No 716

Dan Kovoloff,
vs. Petitioner,
The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

No 550

Farmers & Merchants Bank of Vandalia, Ill.,
vs. Petitioner.
Harrison W. Munnes

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and

as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

	The Work Mining & Milling Co.,	On petition for writ of certiorari to the United
855	vs Petitioner	States Circuit Court
	The Dr. Jack Pot Mining Co.	of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

	Byron E. Van Auken and Consolidated Engineering Co.,	On petition for writ of certiorari to the United States
860	vs. Petitioners.	Circuit Court of
	The Monash Younker Co.	Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel

against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

Byron E. Van Auken and Consolidated Engineering Co., Petitioners, vs. The Monash Counter Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

No. 706

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

The United States of America et al., Appellants, vs. The Louisville & Nashville Railroad Co. — Mr. Solicitor General Bullitt, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

No. 706

856. Florence A. Harper, Petitioner, vs. Louis L. Taylor. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. J. Peters in behalf of Mr. James H. Vahey, in support of the same, and by Mr. Louis Miller in opposition thereto.

816 Lutcher & Moore Lumber Co., et al., Petitioners vs. William H. Knight et al. Mr. A. P. Pujo, of counsel for the petitioners, suggested the death of Henry J. Lutcher, one of the petitioners in this cause, and moved the Court to make Frances A. Lutcher, widow, and Miriam L. Clark and Carrie L. Brown, children of the said Henry J. Lutcher, deceased, parties petitioners hereto. Whereupon, It is now here ordered by the Court that the said Frances A. Lutcher, widow, and Miriam L. Clark and Carrie L. Brown, children of the said Henry J. Lutcher, deceased, be and they are hereby, made parties petitioners in this cause.

816 Lutcher & Moore Lumber Co., et al., Petitioners, vs. William H. Knight et al. The petition for a writ of certiorari herein was submitted to the

the Court by Mr. A. P. Pugs, in support of the same

Charlotte Cassidy, Petitioner,
vs.
Silver King Coalition Mines Co.

The petition for a writ of certiorari herein was submitted to the Court by Mr. W. C. Sullivan, in behalf of Mr John A. Shellon, in support of the same.

William W. Wishart, etc., Petitioner,
vs.
Supreme Council of the Royal Arcanum.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. J. Roy Dickie in support of the same.

The Louisville & Nashville Railroad Co., Appellant,
vs
The Western Union Telegraph Co

Mr. Gregory L. Smith, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

Clara A. Wheeler et al., Appellants,
vs
The City & County of Denver et al

Mr. A. B. Brown on behalf of Mr. Edwin A. Park, of counsel for the appel-

Monday, December 9th, 1912, continued

led to the consideration of the Court a motion to submit this cause under the thirty-second rule or to transfer the same to the summary docket.

748 The Louisville & Nashville Railroad Co., vs. Plaintiff in Error. Joe Haydon, doing business under the firm name of Crescent Coal Co. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James W. Clay and Mr. J. F. Clay, of counsel for the defendant in error in support of the motion, and by Mr. B. D. Warfield, Mr. Malcolm Yeaman, and Mr. C. N. Mooman, of counsel for the plaintiff in error, in opposition thereto.

144 George Fred Williams, Executor, &c., vs Plaintiff in Error, Joseph U. Markwealher, Administrator, &c. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward D. Bassett, of counsel for the defendant in error, in support of the motion, and by Mr. James A Halloran, of

tion thereto.

J. M. Hebert et al., Appellants,
vs.
W. J. Crawford, Trustee, et al.

Thus cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Frederick S. Tyler and Mr. A. D. Lipscomb, of counsel for the appellants, and by Mr. Horace Chilton, of counsel for the appellees.

William G. Hannum, Appellant,
vs.
The United States.

Thus cause was argued by Mr. George A. King, of counsel for the appellant, and by Mr. Frederick Del. Faust, of counsel for the appellee.

Samuel M. Plumley, Appellant,
vs.
The United States.

The United States,
vs.
Samuel M. Plumley

Thus case was argued by Mr. George A. King, of counsel for Samuel M. Plumley, and by Mr. W. W. Scott, of counsel for The United States.

Henry Y. Darnell, Executor, et al., Plaintiffs in Error,
vs.
The State of Indiana

Mr. J. F. Cowern, of counsel for the plaintiffs in

the death of Henry Y. Darnell, one of the plaintiffs in error in this cause, and moved the Court to make W. S. Darnell, Administrator, etc., of the estate of Isaac M. Darnell, deceased, a party plaintiff in error herein, Whereupon, It is now here ordered by the Court that the said W. S. Darnell, Administrator, etc., of the estate of Isaac M. Darnell, deceased, be, and he is hereby made a party plaintiff in error in this cause.

78 *

D. E. Virlee et al.,
vs Plaintiffs in Error.
The Creamery Package Manufacturing Co., et al.

The argument of this cause was commenced by Mr. Harlan E. Leach, of counsel for the plaintiffs in error.

W. S. Darnell, Administrator, etc., et al.,
* 79. vs. Plaintiffs in Error.
The State of Indiana.

This cause was argued by Mr. Joseph F. Cowern, of counsel for the plaintiffs in error, and by Mr. Morton S. Hawkins, of counsel for the defendant in error.

Proclamation being made, the Court is ad-

Tuesday, December 10th, 1912.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that Charles B. Elliott and G. T. Propper, Esquires, of Minneapolis, State of Minnesota be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. T. Michener, it is ordered that Iden S Romig, Esquire, of South Bend, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn

On motion first made to the Court in this behalf by Mr J. S. Davenport, it is ordered that D. N. Linebaugh, Esquire, of Alotta, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas M. Honan it is ordered that James E. McCullough, Esquire, of Greenfield, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Levy Mayer, it is ordered that Joseph M. Hartfield, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E Mason, it is ordered that John E W. Wayman, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Herrick, it is ordered

Carlsbad, State of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Hoke Smith, it is ordered that Bryan Cumming and William H. Barrett, Esquires, of Augusta, and Thomas W. Hardwick, Esquire, of Saundersville, State of Georgia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

Gaspar Cuc, Maria Candelaria de Cordova, Luis Jordan et al.,
vs. Appellants,
William C. Cotton and Walter B. Grant, Executors of the last will and testament of F. B. Cotton deceased, et al

Appeal from the Circuit Court of the United States for the Western District of Texas.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. It is further

is hereby, remanded to the District Court of the United States for the Western District of Texas

per Mr. Chief Justice White.

87. Lennox Land Co., vs. Plaintiff in Error, City of Oakdale et al. It is ordered by the Court that this cause be, and the same is hereby continued per stipulation of counsel.

88. D. E. Virtue et al., vs. Plaintiffs in Error, The Creamery Package Manufacturing Co., et al. The argument of this cause was continued by Mr. Harlan E. Leach, of counsel for the plaintiffs in error, and by Mr. Emanuel Cohen and Mr. Amasa C. Paul, of counsel for the defendants in error, and concluded by Mr. Harlan E. Leach, of counsel for the plaintiffs in error.

89. Grand Trunk Western Railway Co., vs Plaintiff in Error, The City of South Bend, et al. The argument of this cause was commenced by Mr. G. W. Kretzinger, Jr., of counsel for the plaintiff in error.

Proclamation being made, the Court is ad-

Wednesday, December 11th. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. James M. Graham, it is ordered that John J. Anstaby, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Sereno E. Payne, it is ordered that Fred L. Mallory, Esquire, of Norwich State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday, December 11th, 1895, continued.

On motion first made to the Court in this behalf by Mr. Allee Pomerene, it is ordered that Ferris Dale Templeton, Esquire, of Warren, State of Ohio be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

81. Grand Trunk Western Railway Co., Plaintiff in Error, vs. The City of South Bend et al. The argument of this cause was continued by Mr. A. W. Kretzinger, Jr., of counsel for the plaintiff in error, and by Mr. Harry R. Wair, of counsel for the defendants in error, and concluded by Mr. A. B. Browne, of counsel for the plaintiff in error.

82. Cameron Septic Tank Co., Appellant, vs. City of Knoxville, etc. The argument of this cause was commenced by Mr. Henry Love Clarke, of counsel for the appellant, and continued by Mr. Wallace R. Lane, of counsel for the appellee.

Proclamation being made, the Court is ad

Thursday. December 12th. 1912.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Wallace R. Lane, it is ordered that Robin Leslie Welch, Esquire, of Knoxville, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Chilton, it is ordered that John Marshall, Esquire, of Parkersburg, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that Albert W. Jefferis, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Ross Perry, Jr., it is ordered that Harvey Doane Eaton, Esquire, of Waterville, State of Maine, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

82. Cameron Septic Tank Co., Appellant, vs. The City of Knoxville, etc. The argument of this cause was continued by Mr. Wallace R. Lane, of counsel for the appellee, and concluded by Mr. Henry Lowe Clarke, of counsel for the appellant

84. Edwin M. Keatley, Receiver etc., Appellant vs. Carrie Rebecca Turey, Executrix, etc., et al. The argument of this cause was commenced by Mr. F. W. Houghton, of counsel for the appellant; continued by Mr. Levy Mayer, of counsel for the appellees, and concluded by

proclamation being made, the Court

Friday. December 13th. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that Winfield S. Hammond, Esquire, of St. James, and Frank M. Nye, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Kirtland I. Perky, it is ordered that Ralph P. Quarles, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an attorney and counsellor of this Court

On motion first made to the Court in this behalf by Mr. John E. Porter, it is ordered that John F. Quinn, Esquire, of Eureka, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Holdsworth Gordon, it is ordered that N. Thornton Hynson, Esquire, of the District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ed Brown and Del Bennett,
Plaintiffs in Error,
vs.
Frank M. Powers, Judge, and Arla Buck, Relator

In Error to the Supreme Court of the State of Iowa

94

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

45 Ed Brown and Del Bennett, vs. Frank M. Powers, Judge, and Elgin V. Tuddle, Relator. Plaintiffs in Error, In Error to the Supreme Court of the State of Iowa.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

46 John E. Scott, vs. Charles E. Laing, etc., et al. Plaintiff in Error, This cause was argued by Mr. Oliver O. Haga, of counsel for the plaintiff in error, and by Mr. Karl Paine, of counsel for the defendants in error.

47 Lewis E. Smoot, vs. Julia Turner Heyl et al. Appellant. The argument of this cause was commenced by Mr. William L. Johnson, of counsel for the appellant, and continued by Mr. N. Prescott Bailey, of counsel for the appellees.

Monday December 16th. 1912.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Clarence D. Clark, it is ordered that John Horne Chiles, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Halvor Steenerson, it is ordered that Benjamin Salmonson, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Benjamin Patterson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Dilg. Faust, it is ordered that Thomas P. Jacobs, Esquire, of New Martinsville, and Arlen G. Swiger, Esquire, of Sistersville, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Darlington, it is ordered that J. Roger Mc Sherry, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Henry Dennis, it is ordered that Joseph M. Nesbit, Esquire, of Pittsburgh State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this

Monday, December 16th, 1912, continued.

that Fred P. Carr, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oscar W. Underwood, it is ordered that W. S. Wilson, Esquire, of Bessemer, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. N. R. Pollard, it is ordered that D. Tillar Anson, Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	The United States,	Appeals from the
195	vs. Appellant	Circuit Court of
	The Reading Co., The Philadelphia & Reading Railway Co. et al.	the United States for the Eastern
	The Temple Iron Co.,	District of Pennsylvania
206	vs. Appellant	
	The United States	
	The Reading Co., et al.,	
217	vs Appellants	
	The United States.	

transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause declining to enjoin the minor combinations be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Pennsylvania, with directions to dismiss the petition, without prejudice, in so far as it seeks relief against the said three alleged minor combinations. It is further ordered, adjudged and decreed that the decree of the said Circuit Court as to The Temple Iron Company combination be, and the same is hereby, affirmed. It is further ordered, adjudged and decreed that the decree of the said Circuit Court as to the sixty-five per cent. contracts be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to enter a decree cancelling each of these contracts, and perpetually enjoining their further execution, and for such proceedings as are in conformity with the opinion of this Court.

Per Mr. Justice Lurton.

(Mr. Justice Day, Mr. Justice Hughes, and Mr.

sideration and decision of these cases.)

Frederick C. Robertson, Appellant,
vs.
Hugh N. Gordon, Marion Butler, and Josiah M. Vale, individually and as Partners under the Firm Name and Style of Butler & Vale

Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the decree of the Supreme Court of the District of Columbia and to remand the cause to that court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes.

(Mr. Justice Pitney was not present at the argument, and took no part in the decision of this case.)

James A. Murray, doing business as The Pocatello Water Co.,
vs. Plaintiff in Error.
The City of Pocatello

In Error to the Supreme Court of the State of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

The State of Florida on the relation of Sydney J. Wailes,
vs. Plaintiff in Error,
A. C. Croom, Comptroller of the State of Florida

In Error to the Supreme Court of the State of Florida

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Florida and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

62 Tillie Anderson, Plaintiff in Error, vs. The State of Connecticut, In Error to the Supreme Court of Errors of the State of Connecticut

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice White.

70 Addison Shipley Tuck, Plaintiff in Error, vs. The United States, In Error to the District Court of the United States for the District of Kansas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice White.

73 Isaac A. Mansour, Appellant
vs.
The United States.

Appeal from the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed.

Per Mr. Chief Justice White

George Fred Williams, Executor of the estate of Amy M. Starkweather,
vs. Plaintiff in Error.
Joseph U. Starkweather, Administrator de bonis non of the estate of James O. Starkweather.

In error to the Supreme Court of the State of Rhode Island.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Rhode Island, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court

the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White.

706 The United States of America et al., vs. Appellants, Louisville & Nashville Railroad Co. et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 24th next.

Per Mr. Chief Justice White

764 Louisville & Nashville Railroad Co., vs. Appellant, The Western Union Telegraph Co. On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, denied, but the case will be taken on printed briefs if counsel shall be so advised.

Per Mr. Chief Justice White

748 The Louisville & Nashville Railroad Co. vs. Plaintiff in Error. Joe Hogdon, doing business under It is ordered by the Court that the further consideration

to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White

473. Clara A. Wheeler et al., Appellants, vs. City and County of Denver et al. On consideration of the motion to place this case on the summary docket, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 6th next.

Per Mr. Chief Justice White

510 Lusher & Moore Lumber Co., et al., Petitioners, vs. William N. Knight et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

839 Charlotte Cassidy, Petitioner. vs. Silver King Coalition Mines Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

856. Florence A. Harper, Petitioner. vs. Louis L. Taylor. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

William W. Wishart, without bond or guardianship, for the equal benefit of Laurence M. Hartzell and Walter Hartzell. Petitioner.
872. vs.
Supreme Council of the Royal Arcanum

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

The Chief Justice announced that the Court will take a recess from Monday, the 23d instant, to Monday, January 6 next.

The United States of America, Plaintiff in Error,
697. vs.
Pacific & Arctic Railway & Navigation Co., et al.

Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Monday, December 16th, 1912, continued

Ex parte: In the matter of The United States. Petitioner
10, Original.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Bullitt and Mr. Edward C. Crow, of counsel for the petitioner and by Mr. Henry S. Priest, of counsel for the respondent.

Des Moines Gas Co., Appellant,
884 vs.
City of Des Moines et al

The application to an order to maintain the status quo, etc., pending the appeal in this cause was submitted to the consideration of the Court on printed arguments by Mr. Fred S. Carr, Mr. George N. Carr, Mr. William L. Read and Mr. N. T. Guernsey, of counsel for the appellant, in support of the application, and by Mr. Robert O. Brennan and Mr. N. W. Byers, of counsel for the appellees in opposition thereto.

William S. Lovell, Trustee, &c., Plaintiff in Error,
545. vs.
Isidore Newman & Son et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. General Dufour, Mr. W. A. Blount, and Mr. Walker Percy in support of the same, and by Mr. John W. Griffin and Mr

Monday, December 16th, 1912, continued

594. William S. Lovell, Trustee, &c. vs. Henry Heintz & Co., et al. Plaintiff in Error.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. N. Generes Dufour in support of the same, and Mr. Phelan Beale in opposition thereto.

595. Clarence S. Houghton, as Receiver, etc., vs. William N. Burden. Appellant.

The motion to affirm or to place this cause on the summary docket was submitted to the consideration of the Court on the record and printed arguments by Mr. John J. Crawford, of counsel for the appellee, in support of the motion, and by Mr. Jacob John Lazarod, of counsel for the appellant, in opposition thereto.

596. C. E. Mitchell, Petitioner. vs. The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. N. B. Moulton in support of the same, and by Mr. Assistant Attorney General Harr in opposition thereto.

Monday, December 16th, 1912, continued

870 John M. Conroy et al., Petitioners vs. Penn Electric Manufacturing Co. et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Paul Synnestvedt in support of the same, and by Mr. Joseph M. Nebit and Mr. Edward Rector in opposition thereto.

866 The Steele Coal Co., Petitioner. vs. Cohen C. Arnold, as Trustee, etc.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick S. Tyler in behalf of Mr. Nicholas W. Haexter, in support of the same, and by Mr. C. Andrade, Jr., in opposition thereto.

874 Mrs. Bessie Schimmerrer et al., Petitioners, vs. Monongahela River Consolidated Coal & Coke Co. et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick S. Tyler in behalf of Mr. F. Zimmerman, in support of the same, and by Mr. Frank S. Masten in opposition thereto.

314 Juan Pico, Plaintiff in Error, vs. The United States. Mr. Clement L. Bouvé, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

299 B. Zavelo, Plaintiff in Error, vs. J. S. Reeves et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr Samuel A. Putman, of counsel for the defendants in error, in support of the motion, and by Mr. Oscar R. Hundley, of counsel for the plaintiff in error, in opposition thereto.

300 B. Zavelo, Plaintiff in Error, vs. Leichtman, Goodman & Co. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Samuel A. Putman, of counsel for the defendant in error, in support of the motion, and by Mr. Oscar R. Hundley, of counsel for the plaintiff in error in opposition thereto.

195 Charles T. Preston. Plaintiff in Error. vs. The City of Chicago et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John W. Beckwith and Mr. W. N. Sexton, of counsel for the defendants in error, in support of the motion, and by Mr. Allen B. Thiesoat and Mr. Stephen A. Day, of counsel for the plaintiff in error, in opposition thereto.

1714 The People of the State of Illinois ex rel Charles W. Gersch, Plaintiff in Error. vs. The City of Chicago et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr John W. Beckwith and Mr. W. N. Sexton, of counsel for the defendants in error, in support of the motion, and by Mr. Allen B. Thiesoat and Mr. Stephen A. Day, of counsel for the plaintiff in error, in opposition thereto.

95 John Medley. Plaintiff in Error. vs. The State of West Virginia. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Joseph

Monday, December 16th, 1912, continued

and by Mr. W. L. Conley, of counsel for the defendant in error.

Thomas W. McComb,
vs. Plaintiff in Error,
The Commonwealth of Pennsylvania

It is ordered by the Court that this cause be, and the same is hereby, continued

per stipulation of counsel.

Louis E. Smoot,
vs. Appellant,
Julia Turner Keyl et al.

The argument of this cause was continued by Mr. N. Prescott Bradley, of counsel for the appellees, and concluded by Mr. William L. Johnson, of counsel for the appellant.

Supreme Ruling of the Fraternal Mystic Circle,
vs. Plaintiff in Error,
Annie Snyder.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. F. Zimmerman, of counsel for the plaintiff in error, and by Mr. J. B. Sizer, of counsel for the defendant in error.

87. Norman N. Davis et al., Appellants, vs. The Las Ovas Company, Incorporated

The argument of this cause was commenced by Mr. J. K. M. Norton, of counsel for the appellants; continued by Mr. J. J. Darlington, of counsel for the appellee, and concluded by Mr. Samuel A. Putman, of counsel for the appellants.

Proclamation being made, the Court is adjourned

Tuesday, December 17th. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William Allen Culloph, it is ordered that C. E. Humphrey and Jonathan Taylor, Esquires, of Akron, State of Ohio, be admitted to practice as attorneys and counsellors of the Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Simpson, Jr., it is ordered that Henry C. Niles, Esquire, of York, State of Pennsylvania, be admitted to practice as an attorney and counsellor of the Court, and he was sworn accordingly.

George W. Bond, et al.,
585 vs. Appellants,
Unknown Heirs of Juan Barela, deceased, &c.

This cause was submitted to the consideration of the Court pursuant to the twentieth rule on the record and printed arguments by Mr. Richard N. Hanna, of counsel for the appellants, and by Mr. Frank W. Clancy, of counsel for the appellees.

The Bunker Hill & Sullivan Mining & Concentrating Co.,
101 vs. Plaintiffs in Error,
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Myron A. Folsom, of counsel for the plaintiffs in error, and by Mr. Assistant Attorney General Knaebel, of counsel for the defendant in error.

William J. Wood et al.,
98. vs. Appellants.
Vandalia Railroad Co.

The argument of this cause was commenced by Mr. Charles W. Smith, of counsel for the appellants; continued by Mr. John G. Williams, of counsel for the appellees and concluded by Mr. James E. McCullough, of counsel for the appellants.

91. Ella Anderson, Administratrix,
vs. Plaintiff in Error,
J. Paul Smith

This cause was argued by Mr. Leonard J. Matker, of counsel for the plaintiff in error, and by Mr. N. Prescott Galley, of counsel for the defendant in error.

92. Severo Ochoa et al.,
vs. Appellants
Ana Maria Hernandez y Morales et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. T. D. Mott, Jr., of counsel for the appellants, and by Mr. Heston N. Seville, of counsel for the appellees.

93. Texas & New Orleans Railroad Co., et al.,
vs. Plaintiffs in Error,
Sabine Tram Co.

The argument of this cause was commenced by Mr. Hiram Glass, of counsel for the plaintiffs in error.

Proclamation being made, the Court is ad-

Wednesday December 18th. 1912.

Pursuant to adjournment, the Court met to day, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Knute Nelson, it is ordered that George H. Selover, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert M. La Follette, it is ordered that John M. Olin, Esquire, of Madison, and Arthur W. Kopp, Esquire, of Stateville, State of Wisconsin, be admitted to practice as attorneys and counsellors of this

Frank F. Lamb,
67. vs. Plaintiff in Error.
Samuel P. Baker.

In Error to the Supreme Court of the State of Oklahoma.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White

Arizona Copper Co., Limited
106. vs. Appellant.
William Allen Gillespie

It is ordered by the Court that this cause be, and the same is hereby, passed, per stipulation of counsel.

Otto Monson,
107. vs. Plaintiff in Error.
S. J. Simonson.

It is ordered by the Court that this cause be, and the same is hereby, passed.

Texas & New Orleans Railroad Co., et al.,
93. vs. Plaintiffs in Error.
Sabine Tram Co.

The argument of this cause was continued by Mr. Hiram Glass, of counsel

G. Greer, of counsel for the defendant in error, and concluded by Mr. N. M. Garwood, of counsel for the plaintiffs in error.

97. James Donnelly, Plaintiff in Error, vs. The United States. This cause was argued by Mr. John F. Quinn, of counsel for the plaintiff in error, and by Mr. Assistant Attorney General Denison, of counsel for the defendant in error.

100 Park Rapids Lumber Co., Plaintiff in Error, vs. The United States. This cause was argued by Mr. R. J. Powell, of counsel for the plaintiff in error, and by Mr. Assistant Attorney General Knaebel, of counsel for the defendant in error.

102. George E. Tinker, Plaintiff in Error, vs. Midland Valley Mercantile Co. It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

103 Pittsburgh Steel Co., Plaintiff in Error, vs. Baltimore Equitable Society. The argument of this cause was commenced by Mr. Edgar Allen Poe, of counsel for the plaintiff in error.

Thursday December 19th. 1912.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Ward H. Watson, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy C. McHenry, it is ordered that Hugh M. Newson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

half by Mr. L. C. Harris, it is ordered that William E. Culkin, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Bynum E. Hinton, it is ordered that Carl Schultz, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Atlee Pomerene, it is ordered that William B. Francis, Esquire, of Martins Ferry; F. A. Jeffers, Esquire, of Woodsfield, and J. G. Devaul, Esquire, of Woodsfield, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmer N. Adams, it is ordered that Dwight St. John Bobb and Edward N. Dearne, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

114. The United States of America, Appellant, vs. The Union Pacific Railroad Co. et al. The motion as to the form of mandate in this cause was submitted to the consideration of the Court on printed arguments by Mr. Attorney General Wickersham, of counsel for the appellant, and by Mr. John C. Spooner, Mr. John G. Milburn, Mr. Maxwell Evarts, and Mr. N. N. Loomis, of counsel for the appellees.

108. John E. C. Robinson et al., Appellants, vs. John E. Lundrigan Mr. C. D. O'Brien, of counsel for the appellants, suggested the death of John E. C. Robinson, one of the appellants in this cause, and moved the Court to make Hedwig Robinson a party appellant herein in place of the said John E. C. Robinson, deceased. Whereupon, It is now here ordered by the Court that the said Hedwig Robinson be, and she is hereby, made a party appellant in this cause in place of John E. C. Robinson, deceased.

110. Seaboard Fire & Marine Insurance Co., Plaintiff in Error, vs. Gustave Montaleone In Error to the Supreme Court of the State of Louisiana

of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

	Chicago, Milwaukee & St. Paul Railway Co.,	In Error to the
114	vs. Plaintiff in Error,	Supreme Court of
	Michael Kiley	the State of Wis
		consin

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

	The People of Porto Rico,	It is ordered by
116	vs. Appellant,	the Court that
	Pierre Emanuel, Baron	this cause be,
	de Laurens d'Oiseay	and the same
		is hereby, passed

subject to the provisions of section 9, rule 36

103 Pittsburgh Steel Co., Plaintiff in Error,
vs.
Baltimore Equitable Society

The argument of this cause was continued by Mr. Edgar Allen Poe, of counsel for the plaintiff in error, and Mr. Wilton Snowden, Jr. and Mr. Vernon Cook, of counsel for the defendant in error, and concluded by Mr. Edgar Allen Poe, of counsel for the plaintiff in error.

104 The Marshall Dental Manufacturing Co., Plaintiff in Error,
vs.
The State of Iowa

This cause was argued by Mr. E. B. Evans, of counsel for the plaintiff in error, and by Mr. George Cosson, of counsel for the defendant in error.

105 Illinois Central Railroad Co. of the State of Illinois, Plaintiff in Error,
vs.
Henderson Elevator Co.

This cause was argued by Mr. Edmund F. Trabue, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. James W. Clay and Mr. J. F. Clay, of counsel for the defendant in error.

Thursday, December 19th, 1912, continued

108 Hedwig Robinson et al., Appellants, vs. John E. Lundregren

The argument of this cause was commenced by Mr. C. D. O'Brien, of counsel for the appellants.

Proclamation being made, the Court is ad

Friday. December 20th. 1912.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. L. H. Bancroft, it is ordered that Michael G. Eberlein, Esquire, of Shawano, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Robert L. Owen, it is ordered that Robert A. Rogers, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Friday, December 20th, 1912, continued.

On motion first made to the Court in this behalf by Mr. Andrew Wilson, it is ordered that William Otis Badger, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William P. Borland, it is ordered that Marlen J. O'Donnell, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Simeon E. Baldwin, it is ordered that Edward A. Harriman, Esquire, of New Haven, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

537. The United States, Appellant. vs. Charles B. Mason, Executor, etc.

This cause was submitted to the consideration of the Court pursuant to the 20th rule, on the record and printed arguments by Mr. Assistant Attorney General Thompson and Mr. George M. Anderson, of counsel for the appellant, and Mr. F. B. Sands, of

117. John N. Hall, vs. Plaintiff in Error, The United States. — It is ordered by the Court that this cause be, and the same is hereby passed for settlement.

119 & 120. Portland Railway, Light & Power Co., vs. Plaintiff in Error, The Railroad Commission of Oregon. — It is ordered by the Court that these cases be, and the same is hereby, passed, per stipulation of counsel.

105. Hedwig Robinson et al., vs. Appellants, John E. Lundrigan. — The argument of this cause was continued by Mr. C. D. O'Brien, of counsel for the appellants, and by Mr. Luther C. Harris and Mr. William E. Culkin, of counsel for the appellee, and concluded by Mr. C. D. O'Brien, of counsel for the appellants.

104. Jonah Kalaniamaole, vs. Plaintiff in Error, George E. Smithies, Trustee, etc. — This cause was argued by Mr. R. P. Quarles, of counsel for the defendant in error, and submitted on a printed brief by Mr. C. W. Ashford, of counsel for the plain-

Friday, December 20th, 1912, continued.

115 Mathias Schmidinger, Plaintiff in Error. vs. The City of Chicago. This cause was argued by Mr Harry Rubens, of counsel for the plaintiff in error, and submitted on a printed brief by Mr. Joseph F. Grossman and Mr. W. N. Sexton, of counsel for the defendant in error.

122 Southern Pacific Co., Appellant, vs. City of Portland. On motion of Mr. James E. Fenton, of counsel for the appellant, it is ordered by the Court that this cause be, and the same is hereby, assigned for hearing on Monday, January 6, 1913, at the head of the call for that day, and that counsel on each side be limited to three-quarters of an hour.

Proclamation being made, the Court is ad

Monday, December 23d, 1912.

Pursuant to adjournment, the Court met to-day at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William P. Borland, it is ordered that S. A. Handy, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Henry E. Bodman, Esquire, of Detroit, State of Michigan, and Paul Freeman, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors

Monday, December 23d, 1912, continued.

144. D. G. Williams, Plaintiff in Error, vs. The City of Talladega. In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Day.

78. W. S. Darnell, Administrator de bonis non etc., of the Estate of Isaac M. Darnell, deceased, and Walter S. Darnell, Plaintiffs in Error, vs. The State of Indiana. In Error to the Supreme Court of the State of Indiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by counsel. On consideration whereof,

this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes

Edwin M. Keatley, as Receiver of American Guaranty Company of Chicago, under appointment of the Circuit Court of Kanawha County, West Virginia, Appellant,

vs.

Carrie Rebecca Furey, as Executrix of the last will and testament of Charles La Tour Furey, deceased, and also in her own right; Edwin A. Potter, as Receiver, etc., et al

Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern

Monday, December 23d, 1912, continued

Sarah K. McLean, widow of Nathaniel H. McLean.
vs. Appellant.
The United States.

Appeal from the Court of Claims.

33.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that so much of the judgment of the said Court of Claims in this cause as dismissed the petition as to forage and servants' pay be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice McKenna.

Wallace Wood, Jr., Trustee in bankruptcy of Edward D. Leche,
vs. Appellant.
A. Wilbert's Sons Shingle & Lumber Co. and Frederick Wilbert.

Appeal from the District Court of the United States for the Eastern District of Louisiana.

61.

This cause came on to be heard on the transcript of the record from the District

District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

317 Juan Sice, Plaintiff in Error, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 24th next, after the case heretofore assigned for that day.

Per Mr. Chief Justice White

619 The United States of America, Plaintiff in Error, vs. Pacific & Arctic Railway & Navigation Co., et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 24th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

299 B. Zavels
vs. Plaintiff in Error,
J. S. Reeves et al.

It is ordered by the Court that this cause be transferred to the summary docket and assigned for argument on Monday, January 6th next.

Per Mr. Chief Justice White.

300 B. Zavels,
vs. Plaintiff in Error.
Leichtman, Goodman & Co.,
a partnership composed of A. Leichtman and I Goodman

In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White.

391 Clarence S. Houghton,
as Receiver, etc.,
vs. Appellant.
William H. Burden

On consideration of the motion to affirm in this cause, It is now

the Court that the said motion be, and the same is hereby, denied. It is further ordered that this cause be transferred to the summary docket and assigned for argument on Monday, January 6th next.

Per Mr. Chief Justice White

Des Moines Gas Co.,
vs. Appellant.
City of Des Moines et al.

On consideration of the application to enjoin and restrain the appellees from attempting to put into effect or enforce, pending this appeal, the rate for gas sought to be established by the ordinance in controversy, It is now here ordered by the Court that said application be, and the same is hereby, denied.

Per Mr. Chief Justice White

William L. Lovell,
Trustee in Bankruptcy, &c.,
vs. Plaintiff in Error,
Isidore Newman & Son et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same,

the said petition be, and the same is hereby, denied.

Per Mr Chief Justice White.

William S. Lovell, Trustee in Bankruptcy, &c., vs. Henry Heinz & Co. et al
594 Plaintiff in Error,

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

C. E. Mitchell vs The United States.
845 Petitioner,

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same It is now here ordered by this Court that the

The Keele Coal Co.,
vs. Petitioner.
Cohen C. Arnold, as Trustee in Bankruptcy of the Meriden Coal Mining Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Mrs. Bessie Schinnerer and Mrs. Emma Hurst,
vs. Petitioners,
Monongahela River Consolidated Coal & Coke Co., and Huntingdon & St. Louis Tow-boat Co.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the

that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

879 John M. Conroy, Edwin W. Prugh, and Mildred W. Prugh, trading and doing business under the firm name and style of Conroy, Prugh & Co. vs. Petitioners. Penn Electrical & Manufacturing Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

442 The United States. vs. Plaintiff in Error, William George.

Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause, and to place

518 The United States, Plaintiff in Error, vs. The Northern Commercial Co. — Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause, and to place the same on the summary docket.

705 The United States, Plaintiff in Error, vs. O. T. Anderson. — Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause, and to place the same on the summary docket.

718 The United States of America, Plaintiff in Error, vs. Felipe Sandoval. — Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Ex parte: In the matter of Jewell King, Original Petitioner — Mr. Henry E. Davis in behalf of Mr Burton Smith, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus in this cause.

501. Big Vein Coal Co. of West Virginia, vs. Plaintiff in Error, Benjamin N. Read

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. L. Rawle, Mr. Frank Gosnell and Mr. George Weems Williams, of counsel for the defendant in error in support of the motion, and by Mr. Osborne S. Yellott, of counsel for the plaintiff in error, in opposition thereto.

881. Charles F. Allen, Executor, &c., vs. Petitioner, Seaboard Air Line Railway et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank S. Bright in behalf of Mr. F. E. M. Bullowa in support of the same, and Mr. James Byrne in opposition thereto.

695. Mary R. Peabody et al., vs. Appellants, The United States.

Mr. Chauncey Hackett, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

Lizzie M. Troxell,
Administratrix, etc.,
854 vs. Plaintiff in Error.
The Delaware, Lackawanna & Western Railroad Co.

The suggestion of diminution of the record and motion for a writ of certiorari in this cause was submitted to the consideration of the Court on printed arguments by Mr. Paul Trueman in behalf of Mr. James F. Campbell and Mr William S. Jenney, of counsel for the defendant in error in support of the motion, and by Mr George Demming, of counsel for the plaintiff in error, in opposition thereto.

The New York Central & Hudson River Railroad Co.,
56 vs. Plaintiff in Error.
The Board of Chosen Freeholders of the County of Hudson.

Mr. Henry E. Bodman in that behalf submitted to the consideration of the Court a motion for leave to file a brief in this cause as amicus curiae

The Keystone Type Foundry,
892 vs. Petitioner.
The National Composite Type Co

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr E. W. Bradford in support of the

Monday, December 23d, 1912, continued.

883. Howard N. Sypher et al. vs. Bouvier-Jaeger Coal Land Co. Petitioners. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John N. Holt in support of the same, and by Mr. George E. Price in opposition thereto.

895 Walter Murphy, vs. Ashley M. Gould Associate Justice, &c. Petitioner, The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. John Althus Johnson in support of the same.

772. Simon Taylor et al. vs. Joe Anderson et al. Plaintiffs in Error, Mr. Frederick S. Tyler, in behalf of Mr. N. B. Maxey, of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause under the thirty-second rule.

Proclamation being made, the Court is ad-

Monday, January 6th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bullitt, it is ordered that Leo Oppenheimer, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Jacob J. Lazaroe, it is ordered that Jacob B. Engel, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was

On motion first made to the Court in this behalf by Mr. William C. Dennis, it is ordered that N. R. Berndt, Esquire, of Bismarck, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. T. B. Catron, it is ordered that A. G. Pollock, Esquire, of Santa Fe, State of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert O. Harris, it is ordered that Royal Bosworth Young and Lewis Marks, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. N. Bryant, it is ordered that Edward C. Stimson, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that Henry F. Parmelee, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julius Kahn, it is ordered that Irving N. Fradt, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that Charles P. Bates, Esquire, of Sioux Falls, and Lyman T. Boucher, Esquire, of Aberdeen, State of South Dakota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jack Beall, it is ordered that Ed Tom Randle, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that John W. Pope, Esquire, of Dallas, and

Texas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Frank E. Dorrance, it is ordered that Delbert J. Hinkley, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

45 Jessie E. Thompson, Appellant. vs. Charles N. Thompson. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice Pitney

65 George W. Evans. Appellant. vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the tran-

and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Pitney

Dissenting: Mr. Justice McKenna
Mr. Justice Hughes

Missouri, Kansas & Texas Railway Co., Plaintiff in Error,
vs.
Mrs. Sallie C. Wulf.

In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

317.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Texas.

Per Mr. Justice Pitney

	The Bunker Hill & Sullivan Mining & Concentrating Co.,	In Error to the United States Circuit Court of Appeals for the Ninth Circuit
101	vs Plaintiff in Error,	
	The United States.	

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Idaho.

Per Mr. Justice Lamar.

	Samuel M. Plumley.	Appeals from the Court of Claims
35	vs Appellant.	
	The United States	
	The United States	
36	vs Appellant.	
	Samuel M. Plumley	

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross appeal, and was

It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition of the claimant.

Per Mr. Justice Lamar.

The United States. Plaintiff in Error, vs. James N. Patten, Eugene V. Scales, Frank B. Hayne and William P. Brown. In Error to the Circuit Court of the United States for the Southern District of New York.

282.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause as to counts seven and eight of the indictment be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Van Devanter

Dissenting: Mr. Justice Lurton

687. John Mc. Namara, vs. William Henkel, United States Marshal for the Southern District of New York, et al. Appellant

Appeal from the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes.

18. Adams Express Co. vs. E. N. Croninger Plaintiff in Error.

In Error to the Circuit Court of Kenton County, State of Kentucky

This cause came on to be heard on the transcript of the record from the Circuit Court of Kenton County, State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be,

said Circuit Court with directions to overrule the demurrer, and for such further proceedings as are not inconsistent with the opinion of this Court.

Per Mr. Justice Lurton.

231. Chicago, St. Paul, Minneapolis & Omaha Railway Co., Petitioner, vs. Bud R. Latta. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Nebraska with directions to grant a new trial.

Per Mr. Justice Lurton.

Monday, January 6th, 1913, continued.

17 Chicago, Burlington & Quincy Railway Co., Plaintiff in Error, vs. N. Fred Miller. In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Lurton.

66 Ralph A. Ewing, Plaintiff in Error, vs. The City of Leavenworth. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

655. Warren B. Wheeler, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed.

Per Mr. Justice Day.

654. Stillman Shaw, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Day.

660. Warren B. Wheeler vs Guy Murchie, United States Marshal in and for the District of Massachusetts. Appellant. Appeal from the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and judged and decreed by this Court that the final order of the said District Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Day.

661. Stellman Shaw vs Guy Murchie, United States Marshal in and for the District of Massachusetts. Appellant. Appeal from the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said District Court in

The United States of America. vs. The Union Pacific Railroad Co, et al. Appellant, 1116.

This cause being heard upon the motion of the Attorney General jointly with the counsel for the appellees The Union Pacific Railroad Company and Oregon Short Line Railroad Company as to the form of the mandate under the decree heretofore entered in this cause by this Court, It is now considered that to instruct the District Court of the United States for the District of Utah to order a sale of The Southern Pacific Company shares held by said appellees to the share holders of The Union Pacific Railroad Company, substantially in proportion to their respective holdings, or a distribution thereof by dividend to The Union Pacific stock holders entitled to such dividend, would not constitute a disposition of said Southern Pacific Company shares in compliance with the opinion and decree of this Court filed herein December 2, 1912

Per Mr. Justice Day.

Patricio Ubeda. vs. Agapito Zialcita Appellant, 77.

Appeal from the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court

by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

103. Pittsburgh Steel Co., vs. Baltimore Equitable Society — Plaintiff in Error, — In Error to the Court of Appeals of the State of Maryland

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

104. Marshall Dental Manufacturing Co., vs. The State of Iowa. — Plaintiff in Error, — In Error to the Supreme Court of the State of Iowa

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel

dered, and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

---

109. Jonah Kalanianaole, Plaintiff in Error, vs. George E. Smithies, Trustee of Stella Keomailani Cockett and Stella K. Cockett, Beneficiary. In Error to the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Holmes

---

10. Original. Ex parte: In the matter of The United States. Petitioner. On consideration of the petition for a writ of prohibition herein of the return to the rule to show cause, heretofore issued, and of the argument of counsel thereupon had, It is now here ordered by this

same is hereby, granted as prayed in said petition.

Per Mr. Chief Justice White.

William L. Hannum, Appellant. vs. The United States. Appeal from the Court of Claims.

30

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered, and ~~adjudged~~ by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice White.

The Chicago, Rock Island & Pacific Railway Co., Plaintiff in Error, vs. The Hardwick Farmers Elevator Co. In Error to the Supreme Court of the State of Minnesota.

25

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, re-

and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr Chief Justice White

Ella Anderson, Administratrix of the estate of Charles P. Anderson, deceased, Plaintiff in Error. vs. J. Paul Smith — In Error to the Court of Appeals of the District of Columbia.

94

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White

Illinois Central Railroad Company of the State of Illinois, Plaintiff in Error, vs. Henderson Elevator Co. — In Error to the Court of Appeals of the State of Kentucky.

103

This cause came on to be heard on the transcript of the record from the Court of Appeals

Monday January 6th 1913 continued

by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be; and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

per Mr. Chief Justice White

Charles T. Preston vs The City of Chicago et al — In Error to the Supreme Court of the State of Illinois

195 Plaintiff in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

per Mr Chief Justice White

The People of the State of Illinois ex rel Charles N. Gersch,
vs. Plaintiff in Error,
The City of Chicago, Fred A. Busse, as Mayor of said City; Leroy T. Steward, as Superintendent of Police of said City, et al.

In Error to the Supreme Court of the State of Illinois.

1114

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice White.

John Medley,
vs. Plaintiff in Error,
The State of West Virginia

In Error to the Supreme Court of Appeals of the State of West Virginia

98.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this

for the want of jurisdiction.

Per Mr. Chief Justice White

Park Rapids Lumber Co.
100 vs. Plaintiff in Error.
The United States.

In Error to the Circuit Court of the United States for the District of Minnesota

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Minnesota.

Per Mr. Chief Justice White

The United States.
442. vs Plaintiff in Error.
William Georgis.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and this cause assigned for argument on Monday, February 24th next, after the cause heretofore assigned

705. The United States vs. O. T. Anderson. Plaintiff in Error. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 24th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

695 Mary R. Peabody et al., vs. The United States. Appellants, On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 24th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

798. The United States of America vs. Felipe Sandoval. Plaintiff in Error, On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Monday, February 24th next, after the cases here-

Simon Taylor et al,
772. vs. Plaintiffs in Error.
Joe Anderson et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied, but the case will be taken on printed briefs if counsel shall be so advised.

Per Mr. Chief Justice White.

Ex parte: In the matter of Jewell King,
Original. Petitioner,

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, denied

Per Mr. Chief Justice White.

The New York Central & Hudson River Railroad Co.,
50. vs. Plaintiff in Error.
The Board of Chosen Freeholders of the County of Hudson.

On consideration of the motion of counsel for International Transit Company for leave to file a printed brief herein as amicus curiae It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

854 Lizzie M. Trowell, Admx, etc., Plaintiff in Error, vs. The Delaware, Lackawanna & Western Railroad Co. On consideration of the suggestion of diminution of the record and motion for a writ of certiorari in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted, without prejudice

per Mr. Chief Justice White

501 Big Vein Coal Co. of West Virginia, Plaintiff in Error, vs. Benjamin N. Read. It is ordered by the Court that this cause be placed on the summary docket.

per Mr. Chief Justice White

551 Charles F. Allen, as Executor of the last will and testament of John Scott, Petitioner, vs. Seaboard Air Line Railway and Atlanta & Birmingham Railway Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit

of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

883. Howard N. Sypher and Cornelia M. Herman, vs. Bouvier-Jaeger Coal Land Co. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

892. The Keystone Type Foundry vs. National Compositype Co. Petitioner On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and

same, It is now here ordered by this Court that the said petition be, and the same is hereby denied

Per Mr. Chief Justice White

Walter Murphy,
Petitioner,
vs.
Ashley M. Gould, Associate Justice of the Supreme Court of the District of Columbia.

845. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied

Per Mr. Chief Justice White

John N. Hall,
Plaintiff in Error,
vs.
The United States.

117. In Error to the Circuit Court of the United States for the District of Oregon.

This cause having been called to the attention of the Court by Mr. Solicitor General Bullitt, and he having moved the Court on behalf of the plaintiff in error to dismiss the writ of error in this cause, Therefore in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this

cause be, and the same is hereby, dismissed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Oregon.

Per Mr. Chief Justice White.

548. The United States, Plaintiff in Error, vs. Northern Commercial Co. — In Error to the District Court of the United States for the Fourth Judicial Division of the Territory of Alaska

This cause having been called to the attention of the Court by Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice White.

652. The United States of America, Plaintiff in Error, vs. Adams Express Co. — Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

	The United States,	Mr. Solicitor General Bullitt, of counsel for The United States, submitted to the consideration of the Court a motion to advance these cases.
783.	vs. Plaintiff in Error	
	The Chandler-Dunbar Water Power Co., et al.	
	The Chandler-Dunbar Water Power Co.,	
784	vs Plaintiff in Error,	
	The United States.	
	St. Mary's Power Company,	
785	vs Plaintiff in Error,	
	The United States.	
	Clarence M. Brown, Sole Receiver, etc.	
786.	vs. Plaintiff in Error,	
	The United States.	

	The United States,	The motion to affirm in these cases was submitted to the consideration of the Court on the record and printed arguments by Mr.
615.	vs. Appellant,	
	The Harvey Steel Co.	
	Midvale Steel Co.,	
616	vs. Appellant,	
	The Harvey Steel Co.	

James R. Sheffield, of counsel for the appellee, in support of the motion; and by Mr. Assistant Attorney General Thompson and Mr. S. M. Ashford, of counsel for The United States, and Mr. Frederic D. McKenney, Mr. Frank S. Busser and Mr. A. N. Winterstein, of counsel for The Midvale Steel Co. [illegible]

Monday, January 6th, 1913, continued

689 Wynkoop Hallenbeck Crawford Co., vs. Appellant, Thomas J. Gaines Jr. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John J. Crawford, of counsel for the appellee in support of the motion, and by Mr. William Otis Badger, Jr., of counsel for the appellant in opposition thereto.

733 Sarah K. McLean, Widow of Nathaniel H. McLean, deceased, vs. Appellant, The United States. On motion of Mr. George A. King, of counsel for the appellant, leave is hereby given the Clerk to issue the mandate in this cause.

891 G. W. Walker vs. Appellant. Jackson Oil & Refining Co., et al Mr. Harry Taylor, in behalf of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

909 Royal Bosworth Young et al., vs. Petitioners. United Zinc Companies et al. The petition for a writ of certiorari herein was submitted to the

by Mr. Lewis Marks and Mr. R. B. Young in support of the same, and by Mr Samuel Williston and Mr Hollis R. Bailey in opposition thereto.

670 William M Coach, Collector of Internal Revenue, vs. Munhill & Schuylkill Haven Railroad Co (Petitioner.)

Mr. Frederic D. McKenney, in behalf of counsel, submitted to the consideration of the Court a motion for leave to file a brief in this cause, as amicus curiae on behalf of the Albany & Susquehanna Railroad Company. Whereupon, It is now here ordered by the Court that said motion be and the same is hereby, granted.

682 Edmund Burke vs. Southern Pacific Railroad Co., et al.

685 J. I. Lamprecht and F. M. Aiken, Trustees, vs Southern Pacific Railroad Company et al.

On motion of Mr C. W. Bunn, leave is hereby granted him to file a brief in these cases, as amicus curiae on behalf of the Northern Pacific Railway Company.

837 J. L. Shine, vs. The United States. (Petitioner.)

The petition for a writ of certiorari herein was submitted to

of the Court on printed arguments by Mr. Frederick S. Tyler in behalf of Mr. W. S. Welch in support of the same, and by the Assistant Attorney General Harr in opposition thereto.

The People of the State of New York, Complainants, vs. The State of New Jersey and Passaic Valley Sewerage Commissioners. Defendants.

3. Original.

On motion of Mr. Frederick S. Tyler, in behalf of counsel, and in pursuance of a stipulation of counsel for the respective parties, It is now here ordered by the Court that the time for taking testimony in this cause on behalf of the defendants be, and the same is hereby, extended to March 1, 1913, and that the time for the taking of the testimony for the complainants in rebuttal be, and the same is hereby extended to June 1, 1913

Charles Grieg, Owner, etc., Petitioner vs. Rosa Lee Cherry, Administratrix, etc., et al. Respondents.

905

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Howard M. Long, Mr. J. Parker Kerlin and Mr. Edward R. Baird, Jr., in support of the same, and Mr.

910 J. H. Brill Co., Petitioner, vs. The Bemis Car Box Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. Edgar Bull, Mr. Alexander Simpson, Jr., and Mr. Francis Rawle in support of the same, and by Mr. John G. Johnson, Mr. Henry S. Brown and Mr. Adolphus Knauth in opposition thereto

916 The Hartford Rubber Works Co., Petitioner, vs. Metallic Rubber Tire Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John M. Coit in behalf of Mr. Livingston Gifford in support of the same, and Mr Norman H. Johnson in opposition thereto

322 S. T. Gray and Robert Brady, Appellants. vs. Robert N. Taylor et al., Board of Commissioners of Lincoln County et al.

1153. The Territory of New Mexico by et Attorney General, Frank W. Clancy on the relation of Jacobo J. Aragon, Appellant, vs. The Board of County Commis-

These cases were submitted to the consideration of the Court pursuant to the twentieth rule by Mr. T. B. Catron, of counsel for the appellants, and by Mr. John Y.

sel for the appellees.

756. Rasmus K. Groot. vs. Catherine M. Morris — Plaintiff in Error — This cause was submitted to the consideration of the Court pursuant to the twentieth rule by Mr. C. A. Fosnes, of counsel for the plaintiff in error, and by Mr. Owen Morris, of counsel for the defendant in error.

182. August Burgdorf, Surviving Trustee, etc., et al., vs. Samuel E. Mayhew. — Appellants. — Appeal from the Court of Appeals of the District of Columbia.

It appearing to the Court that a motion of counsel for the appellants to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

Per Mr. Chief Justice White.

313. German Insurance Co., vs. Commonwealth of Kentucky for use and benefit of the Louisville School Board George N. Wilson, President, et al — Plaintiff in Error. — In Error to the Court of Appeals of the State of Kentucky

counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

William N. Watkins, Natural Tutor, etc., vs. Plaintiff in Error. Producers Oil Co et ux — It is ordered by the Court that this cause be, and the same is hereby, passed

603

subject to the provisions of section 9, rule 26

Southern Pacific Co., vs. Appellant, The City of Portland — This cause was argued by Mr. J. E. Fenton, of counsel for the

122

appellant and by Mr. Frank S. Grant, of counsel for the appellee.

Walter B. Grant et al., vs. Appls. and Plffs in Error The United States. — This cause was argued by Mr. Solicitor General Bullitt, of counsel for the appellee and defendant in error, and submitted on a printed argument by Mr. William A. Keener, of counsel for the appellant and plaintiff in error.

831

Monday January 6th, 1913 continued

Continental & Commercial Trust & Savings Bank,

711. vs. Appellant,

The Chicago Title & Trust Co., Trustee, etc.

appellees.

Thus cause was argued by Mr. Horace Rent Tenney, of counsel for the appellant, and by Mr. Edwin Terrell Jr., of counsel for the

The Guardian Assurance Co., of London (Ltd.)

280 vs Plaintiff in Error

Domingo Iturbide

The argument of the cause was commenced by Mr. Frederic D. McKenney, of

counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Tuesday, January 7th, 1913

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Francis B. James it is ordered that Allen Hughes, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel A. Pulman, it is ordered that Thomas N. O'Donnell, Esquire, of Vernal, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. W. Rucker, it is ordered that Fred Farrar, Esquire, of Fort Collins, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Guardian Assurance Co. of London (Ltd.)
280 vs Plaintiff in Error,
Domingo Quintana

The argument of this cause was continued by Mr. Frederic D. McKenney, of counsel for the plaintiff in error, and by Mr. C. L. Bouvé, of counsel for the defendant in error, and concluded by Mr. Frederic D. McKenney, of counsel for the plaintiff in error.

Gulf, Colorado & Santa Fe Railway Co.,
762 vs Plaintiff in Error,
Mary J. McGinnis, Administratrix, &c.

This cause was argued by Mr. A. N. Caldwell, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Winbourn Pearce and Mr. A. L. Curtis, of counsel for the defendant in error.

Clara N. Wheeler et al.,
473 vs Appellants
City and County of Denver et al.

This cause was argued by Mr Edwin N Park,

appellants, and by Mr. W. N. Bryant, of counsel for the appellees.

294. B. Zavels, Plaintiff in Error, vs. J. S. Reeves et al. This cause was argued by Mr Samuel A. Putman, of counsel for the defendants in error, and submitted on a printed argument by Mr. Oscar R. Hundley, of counsel for the plaintiff in error.

541. Clarence E. Houghton, as Receiver, etc., Appellant, vs. William N. Burden. This cause was argued by Mr. Jacob B. Engel, of counsel for the appellant, and by Mr. John J. Crawford, of counsel for the appellee

381 Effie Hoke et al., Plaintiffs in Error vs. The United States
588 Louis Athanasaw et al., Plffs in Error vs. The United States
602 Emma Harris etc et al. Plffs in Error vs. The United States
603 Della Bennett, Plff in Error vs. The United States
842. John A. Johnson, Appt., vs. Luman T. Hoy, U.S. Marshal &c

On motion of Mr. Benjamin C. Bachrach, of counsel for John A. Johnson, it is ordered by the Court that these cases be heard as one case and two hours allowed each side in the argument thereof. On motion of Mr. Max Levy, of counsel for the plaintiffs in error in

Tuesday. January 7th. 1913. continued

reply brief therein within one week. The argument of these cases was commenced by Mr Benjamin C. Bachrach, of counsel for the appellant in No. 842, and continued by Mr. C. W. Howth, of counsel for Effie Nott.

Proclamation being made, the Court is ad-

Wednesday, January 8th, 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. M. P. Kinkaid, it is ordered that T. M. Walcott, Esquire, of Valentine, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. Chamberlain, it is ordered that Rush L. Holland, Esquire, of Colorado Springs, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. T. B Catron, it is ordered that Delph E. Carpenter, Esquire, of Greeley, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

8, Original — The State of Wyoming, Complainant, vs The State of Colorado et al — On motion of Mr. Fred Farrar, of counsel for the defendant, The State of Colorado, leave is hereby granted to file answers in this cause

381 Effie Hoke et al., Plffs in Error, vs. The United States
588 Louis Athanasaw et al., Plffs in Error, vs The United States
602 Emma Harris etc et al., Plffs in Error vs The United States
603 Della Bennett, Plff in Error, vs. The United States
842 John A. Johnson, &c., vs. Luman T Hoy, U.S. Marshal &c.

Leave is hereby granted Mr. C. W. Howth to file an additional brief in behalf of Effie Hoke within one week. The argument of these cases was continued by Mr. C. W. Howth, of counsel for Effie Hoke, by Mr. Max Levy, of counsel for the plaintiffs in error in Nos. 602 and 603, and by Mr Assistant Attorney General Harr, of counsel for The United States, and concluded by Mr. Max Levy, of counsel for the plaintiffs in error in Nos. 602 and 603

500

The Northern Pacific Railway Co., et al.,
vs. Appellants,
The United States of America

The argument of this cause was commenced by Mr Charles Donnelly, of counsel for the appellants, and continued by Mr Assistant Attorney General Knaebel of counsel for the appellee

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John B. Stanchfield, it is ordered that Howard C. Wiggins, Esquire, of Rome, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. R. Kellogg, it is ordered that Roberts Walker, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court
behalf by Mr. Frederick P. Fish, it
that Charles F. Choate, Jr., Esquire, of
State of Massachusetts, be admitted
bee as an attorney and counsellor o
Court, and he was sworn according

On motion first made to the Court
behalf by Mr. Ernest Knaebel, it is
that Stephen W. Williams, Esquire, o
ington, District of Columbia, be adm
to practice as an attorney and coun
this Court, and he was sworn accord

510 The Northern Pacific Railway Co., et al., vs. The United States of America. Appellants

The argum
this case
continued
Assistant
General
of counsel
Mr Charle
appellee, and concluded by
nelly, of counsel for the appellants

520 Charles R. Heike, vs. The United States. Petitioner,

On motion
John B. St
of counsel
Petitioner,
hereby granted him to file a reply brie
cause.

	Charles K. Hicke,	This cause was argued
520	vs. Petitioner.	by Mr. John B. Stanch-
	The United States.	field, of counsel for
		the petitioner, and

by Mr. Assistant Attorney General Denison, of counsel for the respondent.

Proclamation being made the Court is ad-

Friday, January 10th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened. 696

On motion first made to the Court in this behalf by Mr. Maxwell Evarts, it is ordered that Henry W. Clark, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert O. Harris, it is ordered that Romney Spring, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 718 719 720

On motion first made to the Court in this behalf by Mr. Hoke Smith, it is ordered that William S. Coburn, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. C. Dyer, it is ordered that John S. Leahy, Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Frederick de Bary & Co., Plaintiff in Error, vs. The State of Louisiana. This cause was submitted to the consideration of the Court pursuant to the twentieth rule by Mr. J. D. Rouse, Mr. William Grant, and Mr. William B. Grant, of counsel for the plaintiff in Error, and by Mr. R. C. Pleasant, of counsel for the defendant in error.

Mary E. Hughes, Appt., vs. The United States. The United States, Appt., vs. Mary E. Hughes. Walter W. Jackson, widower etc. et al. Appts. vs. The United States etc.

These cases were submitted to the considera-
tion of the Court pursuant to the twentieth
rule on printed arguments

for the appellants in Nos. 718 and 720, and the apellee in No. 719, and by Mr. Assistant Attorney General Thompson, of counsel for The United States.

Amy B. Zimmerman.
771. vs. Appellant.
Frank F. Harding

Frank F. Harding.
vs Appellant.
Amy B. Zimmerman.

This cause was submitted to the consideration of the Court pursuant to the twenty-second rule, by Mr. N. B. K. Pettingill. of counsel for Amy B. Zimmerman, and by Mr. N. N. Seaville and Mr. Willis Sweet, of counsel for Frank F. Harding.

The United States.
620. vs. Plaintiff in Error.
Sidney W. Winslow et al.

On motion of Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, two hours are allowed to each side in the argument of this cause. The argument of this cause was commenced by Mr. Solicitor General Bullitt, of counsel for the plaintiff in error; continued by Mr. Charles F. Choate, Jr., and Mr. Frederick P. Fish, of counsel for the defendants in error, and concluded by Mr. Solicitor General Bullitt, of counsel for the plaintiff in error.

Monday, January 13th, 1913.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bullitt, it is ordered that J. Harwood Graves, Esquire, of Washington, District of Columbia, and Jay A. Hindman, Esquire, of Hartford City, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James F. Campbell, it is ordered that George B. Wellington, Esquire, of Troy, State of New York, and J. Hayden Oliver,

be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Edward A. Haid, Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

252. El Paso & Southwestern Railroad Co., Plaintiff in Error, vs Eichel & Weikel, a firm composed of William Eichel and Adam Weikel — In Error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the said Court of Civil Appeals, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Pitney

115. Mathias Schmidinger, Plaintiff in Error, vs. The City of Chicago, Illinois. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

652. The United States of America, Plaintiff in Error, vs. The Adams Express Co. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 7th next.

Per Mr. Chief Justice White

783 The United States. vs. Plaintiff in Error. The Chandler Dunbar Water Power Co., et al.

784 The Chandler Dunbar Water Power Co. vs. Plaintiff in Error. The United States.

785 St. Mary's Power Co. vs. Plaintiff in Error. The United States.

786 Clarence M. Brown, Sole Receiver of The Michigan, Lake Superior Power Co. vs. Plaintiff in Error. The United States.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on Monday April 7th next, after the case heretofore assigned for that day.

Per Mr. Chief Justice White

891 L. W. Walker. vs. Appellant. Jackson Oil & Refining Co. et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

Monday, January 13th, 1913, continued.

887. J. L. Shute, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

906. The Hartford Rubber Works Co., Petitioner, vs. Metallic Rubber Tire Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Charles Ering, Managing Owner of the Steam Tug "Prudence"

vs. Petitioner,

Rosa Lee Cherry, Administratrix of Benjamin Luther Cherry, deceased, and Lena E. Harper, Administratrix of Lee Harper, deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

No. 908

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

Royal Bosworth Young, George R. Alley and Frank B. Thayer.

vs. Petitioners.

United Zinc Companies et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

No. 909

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had,

It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

910 J. G. Brill Co., Petitioner vs. The Bemis Car Box Co. — On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

Ex parte: In the matter of the First National Bank of Dexter, New York, Original Petitioner. — Mr. A. S. Worthington and Mr Charles L. Franley, of counsel for the petitioner.

submitted to the consideration of the Court a motion for leave to file a petition for writs of mandamus and certiorari in this cause.

Louisiana & Texas Lumber Co.
917. vs. Petitioner.
C. S. Swift

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. C. L. Bouvé in behalf of Mr. L. C. Boyle and Mr. Joseph S. Brooks in support of the same

William S. Lovell, Trustee in Bankruptcy, etc.,
543. vs. Plaintiff in Error
Isidore Newman & Son et al.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. K. Aldew in behalf of Mr. John W. Griffin and Mr. Everett P. Wheeler, of counsel for the defendants in error, in support of the motion, and by Mr. W. A. Blount, Mr. N. Genereux Dufour, and Mr. Walker Percy, of counsel for the plaintiff in error, in opposition thereto.

658 Warren B. Wheeler, Pltf in Error, vs. The United States
659 Stillman Shaw, Pltf in Error, vs. The United States
660 Warren B. Wheeler, Appt, vs. Guy Murchie, U. S. Marshal, &c
661 Stillman Shaw, Appt, vs. Guy Murchie, U. S. Marshal, &c

On motion of Mr. Solicitor General Bullitt, of counsel for The United States, leave is hereby granted the Clerk to issue the mandates

210 St. Louis Fair Association vs. Plaintiff in Error, Wilsonite Roofing & Paving Co. — In Error to the Supreme Court of the State of Missouri.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion it is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed with costs.

per Mr. Chief Justice White.

210 St. Louis Fair Association vs. Plaintiff in Error, Wilsonite Roofing & Paving Co. — It is ordered by the Court that leave be, and the same is hereby granted the Clerk to issue the mandate in this cause.

per Mr. Chief Justice White.

Josephine P. McGowan, Executrix of Jonas H. McGowan, deceased, and Elijah V. Brookshire vs. Emily E. Parish, Executrix of Joseph W. Parish, deceased. — Mr. Nathaniel Wilson and Mr. J. J. Darlington, of counsel for McGowan et al., submitted to the consideration of the Court a petition for the allowance of an appeal in this

that five days be allowed counsel to file briefs herein

682 Edmund Burke,
vs.
The Southern Pacific Railroad et al.

683 J. I. Lamprecht and F. M. Aiken, Trustees,
vs.
The Southern Pacific Railroad Co., et al.

On motion of Mr. Edmund Burke Esq. ~~Esq.~~ two hours and a half are allowed each side in the argument of these cases. The argument of these cases was commenced by Mr. Frederick R. Kellogg, of counsel for Burke, continued by Mr. Roberts Walker, of counsel for Burke, by Mr. D. J. Hinkley, of counsel for Lamprecht and Aiken, Trustees, and by Mr. Maxwell Evarts, of counsel for The Southern Pacific Railroad Co., et al.

Proclamation being made, the Court is adjourned

Tuesday, January 14th, 1913.

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry D. Clayton, it is ordered that William Hawthorn Stoddard, Esquire of Luverne, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

682 Edmund Burke.
vs.
The Southern Pacific R.R. Co., et al.
J. J. Lamprecht and F. M. Aiken
Trustees.

683. vs.

The argument of these cases was continued by Mr. Maxwell Evarts, of counsel for the South-

Railroad Co., et al., and concluded by Mr. D. J. Kirkby, of counsel for Lamprecht and Aiken, Trustees.

Martin Pederson,
695 vs. Plaintiff in Error.
Delaware, Lackawanna & Western Railroad Co.

This cause was argued by Mr Benjamin Patterson of counsel for the plaintiff in error, and by Mr. James F. Campbell, of counsel for the defendant in error.

Lizzie M. Troxell,
Administratrix, etc.,
834 vs. Plaintiff in Error,
Delaware, Lackawanna & Western Railroad Co.

This cause was argued by Mr. George Demming, of counsel for the plaintiff in error, and by Mr. James F. Campbell, of counsel for the defendant in error.

Lester P. Bartell.
691 vs. Plaintiff in Error.
The United States.

This cause was argued by Mr. Solicitor General Bullitt, of counsel for the defendant in error, and submitted on a printed argument by Mr. Joe Kirby, of counsel for the plaintiff in error.

William Mc. Coach, Collector of Internal Revenue.
v. Petitioner
Minehill & Schuylkill Haven Railroad Co.

The argument of this cause was commenced by Mr. Solicitor General Bullitt, of counsel for the petitioner

670

Proclamation being made, the Court is adjourned

Wednesday, January 15th, 1913.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bullitt, it is ordered that Thomas William White, Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

278. Morris G. Samuels, Appellant. vs. Charles N. Read, Trustee in Bankruptcy of N. Landsberger, Bankrupt.

Mr. E. C. Brandenburg, in behalf of counsel, suggested the bankruptcy of Morris G. Samuels, the appellant in this cause,

as the Trustee in Bankruptcy of the said Morris L. Samuels, and moved the Court to substitute the said Robert N. Montgomery, as such Trustee, as the party appellant in this cause. Whereupon It is now here ordered by the Court that the said Robert N. Montgomery, Trustee in Bankruptcy of Morris L. Samuels be, and he is hereby, made the party appellant in this cause.

Robert N. Montgomery, Trustee in Bankruptcy of Morris L. Samuels. Appellant,
278. vs.
Charles N. Read, Trustee in Bankruptcy of N. Landsberger, Bankrupt.

Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause having been called to the attention of the Court by Mr. E. C. Brandenburg, on behalf of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White.

670. William McCoach Collector of Internal Revenue, Petitioner, vs. Mitchell & Schuylkill Haven Railroad Co.

The arg
this cau
continue
Solicitor
Bullitt,
for the
Pepper, o
and by Mr. George Wharton for the respondent, and concluded by
licitor General Bullitt, of counsel for

858. Florida East Coast Railway Co., Appellant, vs. The United States et al.

On m
Mr. F
C. Bry
counse

appellant, two hours are allowed each
the argument of this case, and on m
Mr. Blackburn Esterline, of counsel f
United States, three counsel are allow
Heard for the appellees. The argu
this cause was commenced by Mr. C
C. Bryan, of counsel for the appellees
and by Mr. Blackburn Esterline, of co
The United States. Mr Frederick M.
of counsel for the Railroad Commissio
Florida, and by Mr. Charles W. Need
counsel for the Interstate Commerce C
and ——— by Mr. Alex St. Clair
of counsel for the appellant.

Proclamation being made, the Court

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in the behalf by Mr. Frederick C. Bryan, it is ordered that Albert E. Ormsen, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in the behalf by Mr. Scott Ferris, it is ordered that W. F. Wilson, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. E. D. Crumpacker, it is ordered that Worth W. Pepple, Esquire, of Michigan City, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James R. Mann, it is ordered that Daniel L. Cruice, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

130. Axel Gustaveson et al., Plaintiffs in Error, vs. The State of Iowa. In Error to the Supreme Court of the State of Iowa.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Florida East Coast Railway Co., Appellant,
858. vs.
The United States et ux

The argument of this cause was concluded by Mr. Alex. St. Clair Abrams, of counsel for the appellant

The United States, et al Appellants,
862. vs.
The Baltimore & Ohio Railroad Co., et ux.

On motion of Mr. Solicitor General Bullitt, of counsel for The United States, two hours are allowed each side in the argument of this case. The argument of this case was commenced by Mr. Solicitor General Bullitt, of counsel for The United States, and continued by Mr. Ernest A. Bigelow, of counsel for the Federal Sugar Refining Co.; by Mr. George F. Brownell, of counsel for the railroad companies; by Mr. N. B. Closson, of counsel for the Brooklyn Eastern District Terminal, and by Mr. William N. Dykman, of counsel for the Jay Street Terminal, and Arbuckle Brothers.

The United States et al.,
862. vs. Appellants,
The Baltimore & Ohio Railroad Co. et al.

On motion of Mr. George F. Brownell, of counsel for the railroad companies, leave is hereby granted him to file a reply brief in this

Proclamation being made &c. Court is

Friday, January 17th. 1913.

Pursuant to adjournment, the Court
today at the Capitol

Present:

The Honorable Edward D. White, Chief
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, M
James H. McKinney, C

Proclamation being made, the Court is o

On motion first made to the Court in th
half by Mr. Frank E. Doremus, it is o
that Richard S. Lawson, Esquire, of Det
State of Michigan, be admitted to prac
as an attorney and counsellor of this Cou
he was sworn accordingly.

On motion first made to the Court in th
behalf by Mr. N. C. Lyon, it is ordered th
J. Merrick Moore, Esquire, of Little Roc
State of Arkansas, be admitted to prac
an attorney and counsellor of this Court
he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Reid, it is ordered that William N. Rector, Esquire, of Fort Smith, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

862. The United States et al., Appellants, vs. The Baltimore & Ohio Railroad Co. et al. The argument of this cause was continued by Mr. William N. Dyer man, of counsel for the Jay Street Terminal and Arbuckle Bros., and concluded by Mr. P. J. Farrell, of counsel for the Interstate Commerce Commission.

112 George McDermott, Plaintiff in Error, vs. The State of Wisconsin

113. T. H. Grady, Plaintiff in Error, vs. The State of Wisconsin

The argument of these cases was commenced by Mr. N. C. Fairchild, of counsel for the plaintiffs in error, and continued by Mr. John M. Olin, of counsel for the defendant in error.

Proclamation being made, the Court is ad-

Monday, January 20th, 1913.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Alexander Akerman, it is ordered that J. Ellsworth Hall, Esquire, of Macon, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Brooks, it is ordered that W. Pitt Offord, Esquire, of Erie, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that J. L. McNab, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. L. T. Michener, it is ordered that Charles A. Murray, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick D. Tyler, it is ordered that Charles N. Shamel, Esquire, of Springfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Whelan, it is ordered that Lincoln Tyler, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. L. Russell Alden, it is ordered

State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward T. Taylor, it is ordered that Joseph C. Ewing, Esquire, of Greeley, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Interstate Commerce Commission and The United States. vs. Louisville & Nashville Railroad Co. Appellants,

Appeal from the United States Commerce Court.

600.

This cause came on to be heard on the transcript of record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Commerce Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Lamar.

831. Walter B. Grant and E. E. Burlingame, Appellants and Plaintiffs in Error, vs. The United States. Appeal from and in error to the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction. It is further ordered and adjudged that the writ of error as to E. E. Burlingame be, and the same is hereby, dismissed. It is further ordered and adjudged by this Court that the judgment of the said District Court as to the said Walter B. Grant be, and the same is hereby, affirmed.

Per Mr. Justice Hughes.

242. The Michigan Central Railroad Co., Plaintiff in Error, vs. Daniel B. Vreland, Administrator of the Estate of Albert Wiemeller, deceased. In Error to the Circuit Court of the United States for the Northern District of Ohio.

transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Ohio with directions to grant a new trial.

Per Mr. Justice Lurton

(Mr. Justice Holmes concurs in the result.)

87. Norman N. Davis and Charles T. Phillips, Appellants vs. The Las Ovas Company, Incorporated. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lurton.

322. S. T. Gray and Robert Brady, Appellants, vs. Robert N. Taylor, Charles W. Wingfield, Romualdo Duran, The Board of County Commissioners of Lincoln County, Territory of New Mexico, et al

Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of New Mexico.

Per Mr. Justice Holmes.

483 The Territory of New Mexico, by its Attorney General, Frank W. Clancy on the relation of Jacobo J. Aragon, Appellant, vs. The Board of County Commissioners of Lincoln County, New Mexico

Appeal from the Supreme Court of the Territory of New Mexico.

transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of New Mexico.

Per Mr. Justice Holmes.

80 D. E. Virlie and The Owatonna Fanning Mill Co., Plaintiffs in Error, vs. The Creamery Package Manufacturing Co. The Owatonna Manufacturing Co., and Frank La Bare. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Minnesota. Per Mr. Justice [illegible]

82. Cameron Septic Tank Co. vs. City of Knoxville, in the County of Marion and State of Iowa. Appellant. Appeal from the Circuit Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Iowa.

Per Mr. Justice McKenna.

689. Wynkoop, Hallenbeck, Crawford Co. vs. Thomas J. Gaines, Jr. Appellant. Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by

is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

Yazoo & Mississippi Valley Railroad Co., vs. Greenwood Grocery Co. — Plaintiff in Error, — In Error to the Supreme Court of the State of Mississippi.

541.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice White

Ex parte: In the matter of The First National Bank of Dexter, New York. — Original — Petitioner — On consideration of the motion for leave to file a petition for writs of mandamus and certiorari herein, It is now here ordered by the Court that the said motion be, and the same is hereby granted.

Per Mr. Chief Justice White

Ex parte: In the matter of the First National Bank of Dexter, New York
Original Petitioner.

On consideration of the petition for writs of mandamus and certiorari herein, It is now here ordered by the Court that cause be shown by the Court of Appeals of the District of Columbia before this Court, at the City of Washington, on Monday, February 24th, 1913, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice White

917. Louisiana & Texas Lumber Co. Petitioner.
vs.
C. S. Swift.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

The United States,
282. vs. Plaintiff in Error.
James A. Patten et al.

Mr. Sol
eral G
counsel
plaintiff

submitted to the consideration of th
a motion that the mandate in th
issue forthwith

Wells, Fargo & Co. et al.,
29. vs. Plaintiffs in Error.
The Neiman-Marcus Co.

Mr. Ed
Fenwic
half of e

submitted to the consideration of the C
motion for leave to file an additional
this cause on behalf of the defendant

Jessie E. Thompson,
115. vs. Appellant.
Charles N. Thompson.

On motio
John A.
of counsel
appellee,

by the Court that leave be, and the sam
by, granted the Clerk to issue the ma
this cause.

Ex parte: In the matter
of Benjamin F. Edwards.
Original Petitioner

Mr. W.
of counse
petitione
mitted t

sideration of the Court a motion for lea
file a petition for writ of mandamu

178. George Mengel, vs. Plaintiff in Error. Blanche Mengel et al. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. J. S. Pepper, of counsel for the defendants in error in support of the motion

135. Thomas B Stuart et al., vs. Petitioners. Union Pacific Railroad Co. On motion of Mr. Joseph C. Ewing in that behalf. leave is hereby granted him to file a brief in this cause as amicus curiae.

926. J. B. Clements et al., vs. Petitioners. George P. Northrop et al., Executors. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Alexander Akerman in support of the same, and Mr. A. A. Codington in opposition thereto.

927. M. P. Hall et al., vs. Petitioners. W. A. Huff et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Alexander Akerman in support of the same, and

Felder in opposition thereto.

174 Missouri Pacific Railway Co., Plaintiff in Error, vs. F. D. Larabee et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Evans Browne in behalf of Mr. Joseph L. Waters and Mr Charles Blood Smith, of counsel for the defendants in error in support of the motion, and by Mr. B. P. Waggener, of counsel for the plaintiff in error, in opposition thereto.

225 Commercial Life Insurance Company, Plaintiff in Error, vs. The People of the State of Illinois upon the information of George J. Ambrose. In Error to the Supreme Court of the State of Illinois.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed without costs to either party.

Per Mr. Chief Justice White

112. George M^c Dermott, Plaintiff in Error. vs. The State of Wisconsin

113. T. H. Grady. Plaintiff in Error. vs. The State of Wisconsin

The argument of these cases was concluded by Mr. John M. Olin, of counsel for the defendant in error.

121. Missouri, Kansas & Texas Railway Co. Plaintiff in Error. vs. Robert L. Harriman et al., as Harriman Brothers

This cause was argued by Mr. William M. Williams of counsel for the defendants in error, and submitted on a printed argument by Mr. Joseph M. Bryson and Mr. Cecil N. Smith, of counsel for the plaintiff in error.

123 William A. Ensign. Plaintiff in Error. vs. The Commonwealth of Pennsylvania

124 Charles A. Ensign. Plaintiff in Error. vs. The Commonwealth of Pennsylvania.

These cases were argued by Mr. John B. Brooks, of counsel for the plaintiffs in error, and by Mr. W. Pitt Gifford, of counsel for the defendant in error.

126 St Louis, Iron Mountain & Southern Railway Co., Plaintiff in Error, vs. E. H. Edwards

The cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Martin L. Clardy, Mr. N. J. Ebel and Mr. Lovick P. Miles, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

127 A. C. Crenshaw, Plaintiff in Error, vs. The State of Arkansas.

125 E. L. Gannaway, Plaintiff in Error, vs. The State of Arkansas.

The argument of these cases was commenced by Mr. J. Merrick Moore, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned

Tuesday January 21st. 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. N. C. Jones, it is ordered that John Lefler Davidson, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kendall B. Randolph, it is ordered that Boyd Dudley, Esquire, of Gallatin, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Russell, it is ordered that John T. Barker, Esquire, of Jefferson City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Nathan Williams, it is ordered that Milton Roberts, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. M. La Follette, it is ordered that W. B. Rubin, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

137. Compania de los Ferrocariles de Puerto Rico, Plaintiff in Error, vs. Karl Rohrer, R. N. Wilson and Albert N. Wood. In Error to the District Court of the United States for Porto Rico.

Thus cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print

pursuance of the Local rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

127 A. C. Crenshaw. vs. Plaintiff in Error. The State of Arkansas

128. E. L. Jannaway, vs. Plaintiff in Error, The State of Arkansas

The argument of these cases was continued by Mr. J. Merrick Moore, of counsel for the plaintiffs in error, and Mr. William N. Rector, of counsel for the defendant in error, and concluded by Mr. J. Merrick Moore, of counsel for the plaintiffs in error.

576 P. L. Rogers, vs. Plaintiff in Error. The State of Arkansas

577. L. P. Barnhill vs. Plaintiff in Error. The State of Arkansas

These cases were argued by Mr. A. C. Lyon, of counsel for the plaintiffs in error, and by Mr. Charles C. Reid, of counsel for the defendant in error.

129. Rafael Gutierrez del Arroyo et al., vs. Appellants. Robert Graham.

This cause was submitted to the consideration of the Court on the

ed arguments by Mr. Frances N. Dexter and Mr. Frederic D. McKenney, of counsel for the appellants and by Mr. N. B. K. Pettingill, of counsel for the appellee

131. Mary F. Bulls
vs. Plaintiff in Error.
Merchants & Miners Transportation Co.

This cause was argued by Mr. Albin L. Richards, of counsel for the plaintiff in error and by Mr. A. Nathan Williams, of counsel for the defendant in error.

132. The Chicago, Rock Island & Pacific Railway Co., et al.
vs. Plaintiffs in Error.
Albert N. Schuylhart et al.

The argument of this cause was commenced by Mr. Paul E. Walker, of counsel for the plaintiffs in error.

Proclamation being made, the Court is ad-

Wednesday, January 22d, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna,
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R Lamar
Mahlon Pitney
John M Wright-Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Andrew C. Peters it is ordered that Charles N. Fuller, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr F. L. Siddons, it is ordered that James W. Hocker, Esquire, of Purcell, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that Francis S. Howell, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

132. The Chicago, Rock Island & Pacific Railway Co., et al., vs. Plaintiffs in Error, Albert N. Schweyhart et al.

The argument of this cause was continued by Mr. Paul E. Walker, of counsel for the plaintiffs in error, and by Mr. Kendall B. Randolph and Mr. Boyd Dudley, of counsel for the defendants in error, and concluded by Mr. Paul E. Walker, of counsel for the plaintiffs in error.

134. Gulf, Colorado & Santa Fe Railway Co., vs. Plaintiff in Error, J. N. Thorn

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. J. W. Terry, Mr. Gardiner Lathrop, Mr. N. B. Browne, Mr. Alexander Britton, Mr. Evans Browne, and Mr. N. N. Culwell, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

Wednesday, January 22d, 1913. continued

135. Thomas B. Stuart and Charles A. Murray, Petitioners. vs. Union Pacific Railroad Co. by Mr. Clayton C. Dorsey, respondent

This cause was argued by Mr. Charles A. Murray of counsel for the petitioners, and of counsel for the

136. Robert Van Iderstine, Trustee, etc., Appellant, vs. The National Discount Co. for the appellant.

The argument of this cause was commenced by Mr. Abram J. Elkus of counsel

Proclamation being made, the Court is ad-

Pursuant to adjournment, the Court
day, at the Capitol.

Present:

The Honorable Edward D. White, Chief
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire,
James H. McKenney,

Proclamation being made, the Court is

On motion first made to the Court in
half by Mr. M. E. Olmsted, it is orde
A. C. Stamm, Esquire, of Harrisburg,
Pennsylvania, be admitted to practice
attorney and counsellor of this Court, a
was sworn accordingly.

On motion first made to the Court on
half by Mr. M. D. Connell, it is orde
that Denis M. Kelleher, Esquire, of
Dodge, and Edgar A. Morling, Esqui
Emmetsburg, State of Iowa, be admi
practice as attorneys and counsellors
Court, and thereupon

On motion first made to the Court in this behalf by Mr. Wesley L. Jones, it is ordered that Herbert W. Meyers, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest W. Roberts, it is ordered that Andrew A. Casassa, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that A. G. Avery, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

773. R. A. Marks et al., Plaintiffs in Error, vs. S. A. Davis et al. — In Error to the Supreme Court of the State of Kansas

This cause having been called to the attention of the Court by Mr. Marlin E. Olmsted, of counsel for the plaintiffs in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance

and adjudged by this Court that the
error in this cause be, and the same is
dismissed with costs.

Per Mr. Chief Justi

Robert Van Iderstine,
Trustee, etc.,
136. vs. Appellant,
The National Discount Co.

The argu
this cause
continued
of counse
appellant, and by Mr. Charles N. Full
counsel for the appellee, and conclude
Mr. Abram J. Elkus, of counsel for
pellant.

William H. Winfree,
as Administrator, &c.,
139 vs. Plaintiff in Error,
Northern Pacific Railway Co.

This ca
submi
the co
tion of
on the
and printed arguments by Mr. B.
of counsel for the plaintiff in error, an
Mr. C. W. Bunn, of counsel for the de
in error

Charles L. Rose,
140. vs. Plaintiff in Error,
Minerva Stewart.

This cau
submitted
considera
the Court
record and a printed argument by

error. No counsel appeared for the defendant in error.

160 Dominga Enriquita Dumey. Appellant, vs. Isabel Hernandez y Bello et al. On motion of Mr. N. B. K. Pillsbury of counsel for the appellant, It is now here ordered by the Court that this cause be, and the same is hereby, advanced for argument with case No. 141.

141 Emilio Rijos Cordova, Appellant, vs. Teresa Folgueras y Rijos et al.

160 Dominga Enriquita Dumey, Appellant, vs. Isabel Hernandez y Bello et al. These cases were argued by Mr. N. B. K. Pillsbury, of counsel for the appellants. No counsel appeared for the appellees.

142. John L. James, Bankrupt. Appellant vs. Stone & Co. Creditors, et al. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. N. L. Stevens of counsel for the appellant. No counsel appeared for the appellees.

143. Southern Pacific Co., Plaintiff in Error, vs. Mary L. Schuyler et al., infants, etc.

This cause was argued by Mr Maxwell Evarts, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Edward M. Cleary, of counsel for the defendants in error.

144. Brooklyn Mining & Milling Co., Appellant, vs. Charles L. Miller et al.

The argument of this cause was commenced by Mr. F. B. Howell, of counsel for the appellant.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Friday, January 24th, 1913.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Francis J. Howell, it is ordered that George M. Junison, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. B. Catron, it is ordered that Andrew H. Handspeth, Esquire, of White Oaks, State of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Londan, it is ordered that Abraham Benedict, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

322. S. T. Gray et al., Appellants, vs. Robert N. Taylor et al., Board of Commissioners of Lincoln County, et al.

113. The Territory of New Mexico by its Attorney General Frank W. Clancy on the relation of Jacobo J. Aragon, Appellant, vs. The Board of County Commissioners of Lincoln County, New Mexico.

Per stipulation of counsel and on motion of Mr. T. B. Catron, of counsel for the appellants, It is ordered by the Court that leave be, and the same is hereby, granted the Clerk to issue the mandates in these cases.

148. George Matheson, Plaintiff in Error, vs. The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Wickersham, of counsel for the plaintiff in error, and by Mr. Assistant Attorney General Adkins, of counsel for the defendant in error.

Friday. January 24th, 1913, continued.

Brooklyn Mining & Milling Co.,
1144 vs. Appellant,
Charles C. Miller et al.

The argument of this cause was continued by Mr. F. S. Lowell, of counsel for the appellant, and concluded by Mr. T. G. Norris, of counsel for the appellees.

The People of Porto Rico,
1145 vs. Appellants,
Manuel Rosaly y Castillo.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Felix Frankfurter, of counsel for the appellants. No counsel appeared for the appellee.

Sara M. Hutchinson,
1146 vs. Appellant.
The City of Valdosta et al.

This cause was submitted to the consideration of the Court on the record and a printed argument by Sarah M. Hutchinson pro se. No counsel appeared for the appellees.

Santa Fe, Prescott & Phoenix Railway Co., et al.,
1147 vs. Plaintiffs in Error,
Grant Brothers Construction Co.

This cause was argued by Mr. Gardiner Lathrop, of counsel for the plain

weiler, of counsel for the defendant in error.

Proclamation being made, the Court is ad-

Monday, January 27th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William R. Harr, it is ordered that Patrick D. Cronin, Esquire, of Boston, and W. Parker Jones, Esquire, of Stoneham, State of Massachusetts; Thomas C. Bradley and Walter Schell Gilchrist, Esquires, of Washington, District of Columbia; Edmund Blanchard Quiggle, Esquire, of Mc Elhattan, State of Pennsylvania, and Benjamin B. Jenkins, Esquire, of Indianapolis, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. D. Clark, it is ordered that Thomas M. Hyde, Esquire, of Basin, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Chilton, it is ordered that Albert M. Belcher and Harold W. Houston, Esquires, of Charleston, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. P. Thom, it is ordered that Sydney R. Prince, Esquire, of Mobile, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Duvall, it is ordered that Sidney L. Herold, Esquire, of Shreveport, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that Edward B. Herndon, Esquire, of Shreveport, State of Louisiana, and Harry W. Miller, Esquire, of Portsmouth, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George W. Rea, it is ordered that Guy C. Calden, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Theodore W. Reath, it is ordered that Roy B. Smith, Esquire, of Roanoke, State of Virginia, and Samuel Davis Stokes, Esquire, of Williamson, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church, it is ordered that F. J. Moissen, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monday, January 27th, 1913. co

75. J. Thorburn Ross, Plaintiff in Error, vs. The State of Oregon — In Err… Supreme… of the St… Orego…

This cause came on to be heard on t… script of the record from the Supreme… of the State of Oregon, and was argu… counsel. On consideration whereof, It … here ordered and adjudged by this … that the writ of error in this cause be, … the same is hereby, dismissed for the … of jurisdiction

Per Mr. Justice W…

72. The American Railroad Co. of Porto Rico, Plaintiff in Error, vs. Federico Didricksen and his wife, Luisa Rodriguez — In Err… Distric… of the … States … Rico.

This cause came on to be heard on th… script of the record from the District C… the United States for Porto Rico, and w… gued by counsel. On consideration whe… It is now here ordered and adjudged … Court that the judgment of the said D… Court in this cause be, and the same … reversed with costs; and that this cause … and the same is hereby, remanded to th… District Court with directions to grant …

Mr. Justice Holmes … concurs in the result.

520. Charles R. Heidé. Petitioner. vs. The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Holmes.

93. Texas & New Orleans Railroad Co., Texarkana & Fort Smith Railway Co. and United States Fidelity & Guaranty Co., Plaintiffs in Error, vs. Sabine Tram Co. In Error to the Court of Civil Appeals for the First Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the First Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now here

judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Civil Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice McKenna

280 The Guardian Assurance Co. of London, Limited, Plaintiff in Error, vs. Domingo Quintana

On consideration of the motion to dismiss or affirm in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied, without prejudice.

Per Mr. Chief Justice White

696. Frederick de Bary & Co., Plaintiff in Error, vs. The State of Louisiana

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court

firmed with costs.

Per Mr. Chief Justice White.

178. George Mengel, Plaintiff in Error, vs. Blanche Mengel and Louis Eckhart, Sheriff. In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

134. The Gulf, Colorado & Santa Fe Railway Co., Plaintiff in Error, vs. J. N. Thorn. In Error to the County Court of Sabine County, State of Texas.

This cause came on to be heard on the transcript of the record from the County Court of Sabine County, State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said County Court in this cause be, and the same is hereby,

and the same is hereby remanded to the said County Court for further proceedings

Per Mr. Chief Justice White

Ex parte: In the matter of Benjamin F. Edwards, Petitioner. Original.

On consideration of the motion for leave to file a petition for writs of mandamus and certiorari herein, It is now here ordered by the Court that said motion be and the same is hereby granted

Per Mr. Chief Justice White

Ex parte: In the matter of Benjamin F. Edwards. Petitioner Original

On consideration of the petition for writs of mandamus and certiorari herein, It is now here ordered by the Court that cause be shown by the Court of Appeals of the District of Columbia before this Court, at the City of Washington, on Monday, February 24th, 1913, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted

Per Mr. Chief Justice White

29. Wells, Fargo & Co., et al., Plaintiffs in Error, vs. Neiman-Marcus Co.

On consideration of the motion of counsel for the defendant in error for leave to file supplemental brief herein

It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White.

1179. Missouri, Pacific Railway Co., vs. F. D. Larabee et al. (Plaintiff in Error.)

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White.

926. J. B. Clements and Una Clements, vs. George P. Northrop et al., Executors. (Petitioners.)

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

927. M. S. Hall, J. E. Hull, and E. C. Murray, as Executors of John S. Hull, deceased, et al., Petitioners. vs. W. N. Huff et al. On petitio of certiora United S Court of the Fifth

On consideration of the petition for certiorari herein to the United State Court of Appeals for the Fifth Cir of the argument of counsel thereu as well in support of as against the It is now here ordered by this Cou the said petition be, and the same denied.

Per Mr. Chief J

The Chief Justice announced that th will take a recess from Monday, F 3, to Monday, February 24, next.

950. Congregacion de la Mision de San Vicente de Paul, Appellant, vs. Francisco Reyes y Mijares and Banco Español Filipino Mr. En of counse appellee filed in court o ing certi

"In the Supreme Court of the Philippine

I, Vicente Albert, Clerk of the S Court of the Philippine Islands, do h

Supreme Court, wherein Congregacion de la Mision de San Vicente de Paul was appellant, and Francisco Reyes y Mayares and Banco Español Filipino, were appellees, R. G. 3508, a final decree was rendered by said Supreme Court on the 18th day of September A. D. 1911, in favor of the said appellees, and against the said appellant, and that on the 28th day of September A. D. 1911, said appellant prayed an appeal to the Supreme Court of the United States, which was allowed.

In testimony whereof, I have unto subscribe my name and affix the seal of said Supreme Court, at Manila, Philippine Islands, this 17th day of December, A. D. 1912.

Seal

V. Albert,
Clerk"

moved the Court to docket and dismiss this cause pursuant to the 9th rule. And it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by this Court that this appeal from the Supreme Court of the Philippine Islands be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said

to law and justice.

per Mr. Chief Just

No. 5. A. D. Howe Machine Co., Petitioner. vs. Coffield Motor Washer Co.

The pet
a writ
rari he
submitt
consideration of the Court on printed
ments by Mr. Conrad N. Lyme in
of the same, and Mr. R. J. McCarty
low thereto.

No. 5. Fireball Gas Fank & Illuminating Co., et al., Petitioners. vs. Commercial Acetylene Co. et al.

The pet
writ of
herein
ted to t
eration
by Mr.

Wagner in support of the same.

The United States of America ex rel. George L. Foreman, Petitioner. vs. George von L. Meyer, Secretary of the Navy.

The pet
writ of e
this cau
Court of
of the D
Columbia
submitted
consideration of the Court by Mr. Pa
Loughran in support of the same.

The United States of America ex rel. The Champion Lumber Co., Petitioner, vs. Walter L. Fisher, Secretary of the Interior, et al.

The petition for a writ of error in this cause to the Court of Appeals of the District of Columbia, was submitted to the consideration of the Court by Mr. Patrick A. Loughran in support of the same.

Ex parte: In the matter of Nathan Eisemann, Original Petitioner

Mr. Archibald King, in behalf of Mr. Eugene S. Carver, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus in this cause.

149. McLaughlin Brothers, Plaintiff in Error, vs. L. A. Hallowell et al.

This cause was argued by Mr. Edgar A. Morling, of counsel for the plaintiff in error, and by Mr. Denis M. Kelleher, of counsel for the defendants in error.

150 Frank Luke and John Luke, Appellants, vs. Jesse Hoyt Smith

This cause was argued by Mr. Walter Bennett, of counsel for the appellants, and

106. The Arizona Copper Co., vs. William Allen Gillespie

Appellant,

The argument of this cause was commenced by Mr. John A. Garver, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Tuesday, January 28th, 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. J. Denison, it is ordered that Albert M. Kales, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clayton E. Emig, it is ordered that James Francis Horton, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court
Isaf by Mr. Evans Browne, it is or
Chester E. Cleveland, Esquire, of the
of Illinois, be admitted to practice
attorney and counsellor of this Court
was sworn accordingly.

On motion first made to the Court
Iself by Mr. N. Garland Dupre it
that Sam D. Dennis, Jr., Esquire, of
State of New Mexico, be admitted
as an attorney and counsellor of this
he was sworn accordingly.

198 The United States. vs. Appellant, The Reading Co., et al.
206 The Temple Iron Co., vs Appellant, The United States
217 The United States vs. Appellants, The United States

The motion
the decree in
were submit
consideratio
Court on pr
quments by
Burt Moot, o
for the Helen
Iron Co.; by
S. Jenney and
G. Johnson, of counsel for the Delawa
Canna & Western Railroad Co.; by M
Collins and Mr. William N. Corbin, o
for the New York, Susquehanna & We
Co.; by Mr. George F. Brownell, of cou
the Pennsylvania Coal Co.; and by M
N. Pratt, of counsel for the Erie Ir

Iron Co., in support of the motions, and by Mr Attorney General Wickersham, Mr. J. C. McReynolds and Mr. L. Carroll Todd, of counsel for the United States in opposition thereto

The United States,
620. vs. Plaintiffs in Error,
Sidney W. Winslow et al.

On motion of Mr Solicitor General Bullitt, of counsel for the plaintiffs in error, It is ordered by the Court that leave be, and the same is hereby, granted to file printed copies of the oral argument in this cause.

Ex parte: In the matter of Dan Chain,
Original Petitioner,

Mr. A. M. Belcher and Mr. N. W. Houston submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus in this cause.

The Arizona Copper Co.,
106. vs. Appellant.
William Allen Gillespie

The argument of this cause was continued by Mr. John A. Garver, of counsel for the appellant, and by Mr. Ernest W. Lewis, of counsel for the appellee and concluded by Mr. Walter Bennett, of counsel for the appellant.

151 R. W. Starr, Plaintiff in Error,
vs.
Louis Jones and Annie Lee Doss

The argument in this case was commenced by Mr. R. W. Starr for the plaintiff in error; and continued by Mr. A. G. [illegible] for the defendants in error, and concluded by Mr. Frank Reeves, of counsel for the defendants in error.

152. Consolidated Turnpike Co., et al.,
vs.
Norfolk & Ocean View Railway Co.

Plaintiffs in Error,

The argument of this case was commenced by Mr. H. St. George Tucker, counsel for the plaintiffs in error.

Proclamation being made, the Court adjourned until tomorrow at ten o'clock A. M.

Wednesday, January 29th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Kirtland I. Perky, it is ordered that Frank L. Moore, Esquire, of Moscow, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Lambert, it is ordered that Benjamin S. Baker, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. A. Erdman, it is ordered that Walter B. Guy, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James B. Horigan, it is ordered that David F. McGowan, Esquire, of Portland State of Oregon, and Earl Caspar Arnold, Esquire, of Boise, State of Idaho, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Franklin E. Rapp, it is ordered that Albert T. Scharps, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

282. The United States, Plaintiff in Error, vs. James A. Patten et al. It is ordered by the Court that leave be, and the same is hereby, granted the Clerk to issue the mandate in this cause.

461. Central Vermont Railway Company. vs. Appellant, John W. Redmond William R. Warner, and S. Hollister Jackson, constituting the Public Service Commission of the State of Vermont.

Appeal from the Circuit Court of the United States for the District of Vermont.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Vermont.

Per Mr. Chief Justice White.

160 The Detroit United Railway, vs. Plaintiff in Error, The People of the State of Michigan.

It is ordered by the Court that this cause be and the same is hereby, continued per stipulation of counsel.

152. Consolidated Turnpike Co., et al., vs. Plaintiffs in Error, Norfolk & Ocean View Railway Co.

The argument of this cause was continued by Mr. Charles N. Burr, of counsel for the plaintiffs in error, and Mr. Henry W. Anderson, of counsel for the defendant in error, and concluded by Mr. Charles N. Burr, of counsel for the plaintiffs in error.

153. Norfolk & Western Railway Co., vs. Plaintiff in Error. D. E. Earnest.

The argument of this cause was commenced by Mr. John H. Hall, of counsel for the plaintiff in error, and continued by Mr. B. E. Hanlon and Mr. Thomas Lee Moore, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Thursday, January 30th 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James D. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. M. E. Olmsted, it is ordered that George S. Ludlow, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. Kirtland I. Perky, it is ordered that Arthur M. Bowen, Esquire, of Twin Falls, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Albert M. Kales, It is ordered that Victor Elting, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

457. German Alliance Insurance Co., vs. Appellant. Ike Lewis, as Superintendent of Insurance of the State of Kansas.

699 Citizens Insurance Co. of Missouri, vs. Appellant. Matt L. Clay et al

Mr. John G. Johnson, of Counsel for the appellants, submitted to the consideration of the Court a motion to advance these cases

500. The Northern Pacific Railway Co., et al., vs. Appellants, The United States of America

On motion of Mr. Wesley L. Jones in that behalf, leave is hereby granted to file a brief for the State of Washington in this cause as amicus curiae

153. Norfolk and Western Railway Co., Plaintiff in Error D. E. Earnest.

The argument of this cause was continued by Mr. Thomas Lee

for the defendant in error, and concluded by Mr. Roy B. Smith, of counsel for the plaintiff in error.

154. The People of Porto Rico, Plaintiffs in Error vs. The Title Guaranty & Surety Co.

This cause was argued by Mr. William Jessup Hand, of counsel for the Plaintiffs in error, and by Mr. Everett Warren and Mr. John G. Johnson, of counsel for the defendant in error.

155. Henry Friend et al., Petitioners. vs. James Talcott.

The argument of this cause was commenced by Mr. Chester E. Cleveland, of counsel for the petitioners, and continued by Mr. Albert M. Kales, of counsel for the respondent.

Proclamation being made, the Court is ad-

Friday, January 31st, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Waller B. Howe, it is ordered that Henry V. Poor, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. A. Bailey, it is ordered that Henry R. Rathbone, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Friday, January 31st, 1913, continued.

On motion first made to the Court in this behalf by Mr. John D. Works, it is ordered that Willis S. Mitchell, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

13. Original — The State of New Mexico, Complainant, vs. The State of Texas

On motion of Mr. Thomas S. Catron, of counsel for the complainant, leave is hereby granted to file the bill of complaint herein and process is ordered to issue, returnable on Monday, April 21st next.

164. Henry S. Redmond et al., Appellants, vs. Paul Alexander, as Trustee &c.

It is ordered by the Court that this cause be, and the same is hereby passed for settlement.

155. Henry Friend et al., Petitioners, vs. James Talcott

The argument of this cause was continued by Mr Albert M. Kales, of counsel for the respondent, and concluded by Mr. Chester E. Cleveland, of counsel for the petitioners.

William G. Sleed et al.,
156 vs. Appellants,
Samuel A. Abbey et al.

The argument of this cause was commenced by Mr. Jesse G. Northcutt, of counsel for the appellants, continued by Mr. Assistant Attorney General Cobb, of counsel for the appellees, and concluded by Mr. William C. Prentiss, of counsel for the appellants. Leave was granted the appellants to file an additional brief within five days.

W. W. Degge et al.,
157 vs. Plaintiffs in Error,
Frank H. Hitchcock, Postmaster General, &c.
Mylton Maury et al.
158 vs. Plaintiffs in Error,
Frank H. Hitchcock, Postmaster General, &c.

These cases were argued by Mr. O. A. Erdman, of counsel for the plaintiffs in error, and by Mr. Assistant Attorney General Adkins, of counsel for the defendant in error.

William H. Wadkins, Natural Tutor, etc.,
635 vs. Plaintiff in Error.
Producers Oil Co., et al.

This cause was argued by Mr S. L. Herold, of counsel for the plaintiff in error, and by Mr. Amos L. Beaty, of counsel for the defendants in error.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Bullitt, it is ordered that Donald Spencer Edmonds, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Kern, it is ordered that Abram Simmons, Esquire, of Bluffton, State of Indiana, be admitted to practice as an attorney and counsellor of this Court,

On motion first made to the Court in this behalf by Mr. N. Prescott Bailey, it is ordered that Edmund Brady, Esquire, of Washington, District of Columbia, and Gustavus S. Fernald, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. V. Hayden, it is ordered that Herbert L. Frame, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Nota McGill, it is ordered that Arthur L. Morsell, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. A. Fowler, it is ordered that Lincoln R. Clark, Esquire, of Chillicothe, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

842. John A. Johnson, Appellant, vs. Luman T. Hoy, United States Marshal for the Northern District of Illinois. Appeal from the District Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Justice Lamar.

86. John E Scott, Plaintiff in Error, vs. Charles P. Latty, designated as C. P. Latty, and Robert Green. In Error to the Supreme Court of the State of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed

same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Van Devanter

735. The St. Louis Southwestern Railway Co. of Texas, Plaintiff in Error, vs Robert Alexander. In Error to the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of New York.

Per Mr. Justice Day.

124. Rafael Gutierrez del Arroyo, Dona Dolores Gutierrez del Arroyo and Francisco Robledo, Appellants vs. Robert Graham. Appeal from the District Court of the United States for Porto Rico.

script of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

132. The Chicago, Rock Island & Pacific Railway Co., and Marlen N. Barrett, Plaintiffs in Error, vs. Albert N. Schweyhart, Harry L. Reed and Frank Novak

In Error to the Kansas City Court of Appeals of the State of Missouri

This cause came on to be heard on the transcript of the record from the Kansas City Court of Appeals of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

1114

Brooklyn Mining & Milling Co., Appellant,
vs.
Charles C. Miller, George B. Lasbury, Ada M. Miller, Charles C. Miller, No. 2, and George Miller.

Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona.

per Mr. Justice Holmes

620

The United States, Plaintiffs in Error,
vs.
Sidney W. Winslow, Edward P. Hurd, George W. Brown, William Barbour and Elmer P. Howe.

In Error to the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Mas-

consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr Justice Holmes

Hedwig Robinson, John Bierfelt, George H. Fay and B C. Finnegan,		Appeal from the United States Circuit Court of
105.	vs. Appellants	Appeals for the
John E Sundrigan		Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Minnesota.

Per Mr Justice McKenna

615	The United States. vs. Appellant. Harvey Steel Co. Midvale Steel Co.,	Appeals Court of
616.	vs. Appellant Harvey Steel Co.	

This cause came on to be heard on the transcript of the record from the Court and on motion to affirm, which was by counsel. On consideration whereof it is now here ordered and adjudged by this that the judgment of the said Court be, and the same is hereby, affirmed.

Per Mr. Chief Justice

Ex parte: In the matter of Nathan Eisemann, Petitioner. Original.

On consideration of the motion for leave to file petition for a writ of prohibition or a writ of mandamus or a writ of prohibition It is now here ordered by the Court that said motion be, and the same is hereby denied

Per Mr. Chief Justice

Ex parte: In the matter of Dan Chain, Petitioner Original

On consideration of the motion for leave to file petition for a writ of

by the Court that the said motion be, and the same is hereby, denied

per Mr. Chief Justice White

German Alliance Insurance Co.,
1457 vs. Appellant.
Ike Lewis, as Superintendent of Insurance, etc.
Citizens Insurance Co. of Missouri,
699 vs. Appellant.
Mall S. Clay et al

On consideration of the motion to advance these cases, It is now here ordered by the Court that the said motion be, and the same is hereby, denied

per Mr. Chief Justice White

Fireball Gas Fuel & Illuminating Co. and David Leon Soloman,
905 vs. Petitioners
Commercial Acetylene Co and The Prest-o-lite Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, it is now here ordered by this Court that the said petition be, and the

935 A. D. Howe Machine Co., Petitioner. vs. Coffield Motor Washer Co. On pet
writ of c
to the U
States C

Court of Appeals for the Fourth Circ

On consideration of the petition fo
of certiorari herein to the United St
cuit Court of Appeals for the Four
and of the argument of counsel the
had, as well in support of as against
it is now here ordered by this Cour
said petition be, and the same is he

Per Mr. Chief Jus

840 The United States, Appellant, vs. The Terminal Railroad Association of St. Louis et al.

Mr. Solic
al Bulle
sel for u
lant, sub
the consi
of the Co

tion to advance this cause.

863 The United States, Plaintiff in Error, vs. Arnulfo Chavez, de

Mr. Sol
eral B
counsel
plaintiff
submitte
consider
the Cour

864 The United States, Plaintiff in Error, vs. Jose Musa

to advance these cases and transfer th
to the summary docket.

378	The United States, Plaintiff in Error, vs. John A. Davis.	Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause and transfer the same to the summary docket.
415	The United States, Plaintiff in Error, vs. Bob Wright.	Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause and transfer the same to the summary docket.
423	Frank Quinn et al vs. The United States.	Mr. Solicitor General Bullitt, of counsel for the United States, submitted to the consideration of the Court a motion to advance this cause.
413	The United States, Plaintiff in Error, vs. Alfred Shelley.	Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause and place the same on the summary docket.

Charles N. Swigart et al., Appellants,
944 vs.
D. P. Baker.

Mr. Solic
Bullitt, f
for the ap
submitte

consideration of the Court a motion
this cause.

Malleable Iron Range Co., Petitioner,
947 vs.
Arthur K. Beckwith

The pet
a writ
rari he
submitte

consideration of the Court on printed
ments by Mr. Arthur L. Morsell an
Thomas A. Banning in support of the
and by Mr. Fred L. Chappell in opp
thereto.

Fred D. May et al., Petitioners,
957 vs.
The United States.

The petit
a writ o
rari her
submitte

consideration of the Court on printed
ments by Mr. Arthur Peter in behalf
P. N. Cullen, Mr. Thomas J. Fennetter
Mr. Shepard Barclay in support of t
and Mr. Assistant Attorney General A
opposition thereto.

507	The Pullman Co., vs. Appellant, N. C. Croom, Comptroller, etc., et al.	Mr. Gustavus S. Fernald, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause to be heard with case No. 250, as one case.
949	Eugene Mosier, vs. Petitioner, The United States.	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. R. W. Wells in behalf of Mr. Milton Brown in support of the same, and Mr. Assistant Attorney General Denison in opposition thereto.
736	The United States, vs. Appellant, The Mille Lac Band of Chippewa Indians of the State of Minnesota	Mr. D. B. Henderson, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.
902	Joseph F. Guffey et al., vs. Petitioners James A. Smith et al.	The petitions for writs of certiorari herein were submitted to the consideration of the Court
903	Joseph F. Guffey et al., vs. Petitioners	

ments by Mr Joseph W. Bailey, Mr. J. N. Beal. Mr. Levy Mayer and Mr. J. W. Moses, in support of the same, and by Mr. J. A. Hindman. Mr. John W. Kern and Mr. Abram Simmons in opposition thereto.

Proclamation being made, the Court is adjourned

Monday, February 24th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

(Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. C. D. Clark, it is ordered that Hilliard D. Ridgely, Esquire, of Cheyenne, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Walton Moore, it is ordered that Lee Douglas, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Bullitt, it is ordered that Charles Carroll, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. T. Wells, it is ordered that George W. Burleigh, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. T. Thompson, it is ordered that John J. Halligan, Esquire, of North Platte, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. G. Pollock, it is ordered that Francis C. Wilson, Esquire, of Santa Fe, State of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. Graham, it is ordered

and Harry Higbee, Esquire, of Pittsfield, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Henry D. Clayton, it is ordered that John A. Sterling, Esquire, of Bloomington, State of Illinois; Edwin W. Higgins, Esquire, of Norwich, State of Connecticut; Paul Howland, Esquire, of Cleveland, State of Ohio, and N. Wells Stump, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ira Bronson, it is ordered that W. N. Boyle, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Stratton, it is ordered that Bruce C. Shorts, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

dered that Henry Axtell Prince, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 123.

On motion first made to the Court in this behalf by Mr. Frederick D. Tyler, it is ordered that David Evans, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank D. Bright, it is ordered that Edgar Livingstone Cornelius, Esquire, of Baltimore State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 124.

64. Marcelina Rosaly, widow of Rabainne. vs. Roberto Graham y Frager — Appellant. — Appeal from the Supreme Court of Porto Rico.

This cause came on to be heard on the transcript of the record from the Supreme Court of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs, per Mr. Justice White.

William A. Ensign,
vs. Plaintiff in Error,
The Commonwealth of
Pennsylvania.

In Error to the
Supreme Court of
the State of Penn-
sylvania.

This cause came on to be heard on the tran-
script of the record from the Supreme Court
of the State of Pennsylvania, and was argued
by counsel. On consideration whereof, It is
now here ordered and adjudged by this Court
that the judgment of the said Supreme Court
in this cause be, and the same is hereby,
affirmed with costs.

per Mr. Justice Pitney

Charles A. Ensign.
vs Plaintiff in Error,
The Commonwealth of
Pennsylvania.

In Error to the
Supreme Court
of the State of
Pennsylvania

This cause came on to be heard on the tran-
script of the record from the Supreme Court
of the State of Pennsylvania, and was argued
by counsel. On consideration whereof, It is
now here ordered and adjudged by this Court
that the judgment of the said Supreme Court
in this cause be, and the same is hereby, af-
firmed with costs.

per Mr. Justice Pitney

147 Southern Pacific Co., Plaintiff in Error, vs Mary R. Schuyler, and Rhea Schuyler, Edward Schuyler, Vera Schuyler, and Dorothy Schuyler, infants, by John M. Forristall, their guardian ad litem

In Error to the Supreme Court of the State of Utah.

249

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney

151 R. W. Starr, Plaintiff in Error, vs Long Jim and Annie, his wife

In Error to the Supreme Court of the State of Washington.

81

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. Mr. [illegible]

B. Zavelo,
vs. Plaintiff in Error,
J. S. Reeves, J. N. Reeves,
D. F. & C. Reeves, J. F. Bell,
Green Benton, C. B. Washing-
ton, W. B. Fuller, and J. E.
Sparkman, Copartners under
the firm name of J. S. Reeves & Co

In Error to the
Supreme Court of
the State of Ala-
bama

This cause came on to be heard on the tran-
script of the record from the Supreme Court
of the State of Alabama, and was argued by
by counsel. On consideration whereof, It is
now here ordered and adjudged by this Court
that the judgment of the said Supreme Court
in this cause be, and the same is hereby, af-
firmed with costs.

Per Mr. Justice Pitney.

Grand Trunk Western
Railway Co.,
vs. Plaintiff in Error,
The City of South Bend
et al.

In Error to the
Supreme Court of
the State of Indiana.

This cause came on to be heard on the tran-
script of the record from the Supreme Court
of the State of Indiana, and was argued by
counsel. On consideration whereof, It is now
here ordered and adjudged by this Court

in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Lamar.

(Mr. Justice Day concurs in the result.)

Dissenting:
Mr. Justice Hughes
Mr. Justice Pitney

Southern Pacific Co., Appellant,
v. Appeal from the Circuit Court of the United States for the District of Oregon.
The City of Portland

122.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, without prejudice. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Oregon.

Per Mr. Justice Lamar.

(Mr. Justice Hughes and Mr. Justice Pitney concur in the result.)

Robert Van Iderstine,
Trustee in Bankruptcy of
Abraham Fellerman and
Isidor J. Fellerman, individually and as members
of the firm of A Fellerman
& Son,

136. vs. Appellant,
The National Discount Co.

Appeal from the
United States
Circuit Court of
Appeals for the
Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Lamar.

George Matheson,

145. vs. Plaintiff in Error,
The United States.

In Error to the
District Court of
the United States
for the Fourth Division of the Territory of Alaska.

This cause came on to be heard on the tran-

of the United States for the Fourth Division of the Territory of Alaska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed

per Mr. Justice Lamar.

736. Rasmus K. Boor, Plaintiff in Error, vs. Catherine M. Morris. In Error to the Supreme Court of the State of Minnesota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Van Devanter

Charles L. Rose,
140 vs. Plaintiff in Error.
Minerva Stewart.

In Error to the Supreme Court of the State of Oklahoma

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Van Devanter

Lewis E. Smoot,
55. vs. Appellant.
Julia Turner Heyl, Edward Randolph Heyl, Helen Heyl, Charles Heath Heyl, Jr., and Delphine Turner Heyl, by their next friend, Charles Heyl.

Appeal from the Court of Appeals of the District of Columbia

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same

311. Supreme Ruling of the Fraternal Mystic Circle, Plaintiff in Error, vs. Annie Snyder. In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of Tennessee.

Per Mr. Justice Hughes.

76. E. R. Bacon, doing business as Wabash Elevator, Plaintiff in Error, vs. The People of the State of Illinois. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this

is hereby, affirmed with costs.

per Mr. Justice Hughes.

771 Amy B. Zimmerman. vs. Appellant, Frank F. Harding
894 Frank F. Harding vs. Appellant, Amy B. Zimmerman

Appeals from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, on appeal and cross appeal and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed, each party to pay one half the costs in this Court.

per Mr. Justice Burton

38 F. S. Bradley, trading as Bradley & Co., vs. Plaintiff in Error. The City of Richmond

In Error to the Supreme Court of Appeals of the State of Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was

It is now here ordered and adjudge
Court that the judgment of the said
Court of Appeals in this cause be, a
same is hereby, affirmed with costs

Per Mr. Justice D

Mr. Justice Lamar concurs in the res

John E. Hampton, Robert
E. Allen, and John W.
Crockett, as Railroad Com-
missioners of the State of
Arkansas, et al.,
vs. Appellants,
St. Louis, Iron Mountain
& Southern Railway Co.

Appeal
Circuit
the Uni
for the
District
Kansas

3

This cause came on to be heard on t
script of the record from the Circuit
of the United States for the Eastern
of Arkansas, and was argued by co
consideration whereof, It is now here
adjudged and decreed by this Court
the decree of the said Circuit Court i
cause be, and the same is hereby, rev
with costs; and that this cause be,
same is hereby, remanded to the Di
Court of the United States for the Ea
District of Arkansas with a direction
miss the bill.

Per Mr. Justice D

	Wells, Fargo & Co., and C. N. Pittmann and E. J. Riley, Plaintiffs in Error, vs. Neiman-Marcus Co.	In Error to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas.
29.		

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Civil Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Lurton

	The United States, Appellant, vs. Charles S. Mason, Executor of the estate of Thomas Mason, deceased.	Appeal from the Court of Claims.
537.		

This cause came on to be heard on the transcript of the record from the Court of Claims, and

whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with a direction to dismiss the petition.

Per Mr. Justice Lurton.

691. Lester P. Bartell, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the District of South Dakota.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of South Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Day.

593

854. Lizzie M. Troxell, Administratrix of the estate of Joseph Daniel Troxell, deceased, Plaintiff in Error, vs. The Delaware, Lackawanna & Western Railroad Co. In Error to the United States Circuit Court of Appeals for the Third Circuit.

cript of the record from the United States Circuit Court of Appeals for the Third Circuit and was argued by counsel. On considera-tion whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be and the same is here-by reversed with costs; and that the judg-ment of the District Court of the United States for the Eastern District of Pennsylvania in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judg-ments bear in the courts of the State of Penn-sylvania. It is further ordered that this cause be, and the same is hereby remanded to the said District Court.

per Mr. Justice Day.

William S. Lovell, Trustee in Bankruptcy of Knight, Vancey & Co., Plaintiff in Error, vs. Isidore Newman & Son et al. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the tran-script of the record from the United States Cir-cuit Court of Appeals for the Fifth Circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration

by this Court that the writ of erro
cause be, and the same is hereby,
for the want of jurisdiction

Per Mr. Just

127 A. C. Crenshaw, Plaintiff in Error, vs. The State of Arkansas, In Error to the Court of Arkansas

This cause came on to be heard on
of the record from the Supreme Cou
State of Arkansas, and was argue
sel. On consideration whereof, It
ordered and adjudged by this Cou
judgment of the said Supreme Cou
cause be, and the same is hereby, re
costs; and that this cause be, and
is hereby, remanded to the said Su
for further proceedings not inconsi
the opinion of this Court.

Per Mr. Jus

128 E. L. Hannaway, Plaintiff in Error, vs. The State of Arkansas, In Erro
preme C
the Stat

This cause came on to be heard o
ceipt of the record from the Supre
of the State of Arkansas, and was
counsel. On consideration whereo
now here ordered and

Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Day.

576. P. L. Rogers, Plaintiff in Error, vs. The State of Arkansas. In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Day.

577. L. P. Barnhill, Plaintiff in Error vs The State of Arkansas. In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the tran-

of the State of Arkansas, and was
counsel. On consideration whereo
here ordered and adjudged by th
that the judgment of the said Su
in this cause be, and the same is
versed with costs; and that this c
the same is hereby, remanded to
preme Court for further proceedin
consistent with the opinion of this
Per Mr. Justi

14-2. John L. James, Bankrupt, Appea
vs. Appellant, United
Stone & Company, Creditor, suit
and A. G. Rieaud, Trustee in Bankruptcy of John L. James, Bankrupt. Fourth

This cause came on to be heard on
script of the record from the Unite
Circuit Court of Appeals for the
cuit, and was argued by counsel.
eration whereof, It is now here ord
judged and decreed by this Court
appeal be, and the same is hereby,
for the want of jurisdiction
Per Mr. Just

The United States of America ex rel. The Chamspion Lumber Co., a corporation,

vs Petitioner,

Walter L. Fisher, Secretary of the Interior, and Fred Dennett, Commissioner of the General Land Office

On consideration of the petition for a writ of error in this cause to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Day.

The United States of America ex rel. George L. Foreman,

vs. Petitioner

George von L. Meyer, Secretary of the Navy.

On consideration of the petition for a writ of error in this cause to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Day.

141. Emilia Rijos Cordova, Appellant, vs. Teresa Folgueras y Rijos et al — Appeal fro Supreme C Porto Rico

This cause came on to be heard on the t script of the record from the Supreme C Porto Rico, and was argued by counsel. O sideration whereof, It is now here order judged and decreed by this Court tha decree of the said Supreme Court in the be, and the same is hereby, affirmed wi

Per Mr. Justice

160. Dominga Enriqueta Dumey, Appellant, vs. Isabel Hernandez y Bello, Nicolas Morell y Hernandez, Tomas Morell y Hernandez and Maria Morell y Hernandez. — Appeal the Dis Court of United S for Porto

This cause came on to be heard on the t of the record from the District Court of t United States for Porto Rico, and was ar by counsel. On consideration whereof, It now here ordered, adjudged and decree this Court that the decree of the said D Court in this cause be, and the same is affirmed with costs.

Per Mr. Justice Ho

150 Frank Luke and John Luke, Appellants, vs. Jesse Hoyt Smith — Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona per Mr. Justice Holmes.

151 The People of Porto Rico, Plaintiffs in Error, vs. The Title Guaranty & Surety Co. — In Error to the United States Circuit Court of Appeals for the Third Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause be, and the same is

cause be, and the same is hereby, remanded to the District Court of the United States for the Middle District of Pennsylvania.

per Mr. Justice [illegible]

500. The Northern Pacific Railway Co., The Mercantile Trust Co., et al., Appellants, vs. The United States of America. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause and the same is hereby, remanded to the District Court of the United States for the Eastern District of Washington.

per Mr. Justice [illegible]

Effie Hoke and Basile Economides,
351. vs. Plaintiffs in Error,
The United States.

In Error to the District Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice McKenna.

Louis Athanasaw and Mitchell Sampson,
588. vs. Plaintiffs in Error,
The United States.

In Error to the District Court of the United States for the Southern District of Florida.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby, affirmed.

Per Mr. Justice McKenna.

Monday, February 24th, 1913.

Della Bunnell,
603. vs. Plaintiff in Error & Petitioner
The United States of America

In Er
Writ o
to the
States

Court of Appeals for the Sixth Circ

This cause came on to be heard o
script of the record from the Unite
Circuit Court of Appeals for the Six
and was argued by counsel. On co
tion whereof, It is now here ordered
judged by this Court that the jud
the said United States Circuit Cou
peals in this cause be, and the sam
affirmed; and that this cause be, an
is hereby remanded to the District
the United States for the Southern D
Ohio.

Per Mr. Justi

Emma Harris alias Emma
R. Smith and Bessie Green,
602. vs Plaintiffs in Error & Petitioners.
The United States of America

In E
Writ
to the
State
Court

for the Sixth Circuit.

This cause came on to be heard on
script of the record from the United
Circuit Court of Appeals for the Si
cuit, and was argued by counsel.
sideration whereof, It is now here o
and adjudged by this Court that

ment of the said United States Circuit Court of Appeals, in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Ohio.

Per Mr. Justice McKenna.

135 Thomas B. Stuart and Charles A. Murray, Petitioners, vs. Union Pacific Railroad Co. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Colorado.

Per Mr. Justice McKenna.

(Mr. Justice Holmes and Mr. Justice Pitney took no part in the decision of this cause.)

146 Sarah F. Hutchinson, Appellant, vs. City of Valdosta, Samuel M. Varnedoe, Recorder, and Valvin Dampier, Marshal. Appeal Circuit the Uni for the D District

This cause came on to be heard on t script of the record from the Circuit of the United States for the Southern of Georgia, and was argued by coun consideration whereof, It is now her adjudged and decreed by this Cou the decree of the said Circuit Court cause be, and the same is hereby, aff with costs; It is further ordered th cause be, and the same is hereby, re to the District Court of the United S the Southern District of Georgia.

Per Mr. Justice

139 William N. Winfree, as Administrator of the Estate of Albert E. Phipps, deceased, Plaintiff in Error, vs. Northern Pacific Railway Co. In Erro United S Circuit Appeals Ninth C

This cause came on to be heard on t script of the record from the United S Circuit Court of Appeals for the Nin cuit, and was argued by counsel. On sideration whereof, It is now Ord

and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Washington

Per Mr. Justice McKenna

635. William N. Watkins, Natural Tutor of Effie Bell Watkins, a minor, vs. Producers Oil Co. and Atlanta & Shreveport Oil & Gas Co. Plaintiff in Error, In Error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna,

St Louis Iron Mountain & Southern Railway Co., vs. E. N. Edwards. — In Error to t Supreme Cou the State of Kansas

136 Plaintiff in Error.

This cause came on to be heard on the t script of the record from the Supreme Cou the State of Arkansas, and was argued b counsel. On consideration whereof, It is n here ordered and adjudged by this Cour that the judgment of the said Supreme Co in this cause be, and the same is hereby, versed with costs; and that this cause b and the same is hereby remanded to the said Supreme Court for further proceedin not inconsistent with the opinion of this C

per Mr. Chief Justice W

New York Central & Hudson River Rail-road Co., vs. The Board of Chosen Freeholders of the County of Hudson. — In Error to th Supreme Cour of the State of New Jersey.

56 Plaintiff in Error.

This cause came on to be heard on the tra script of the record from the Supreme Cou of the State of New Jersey, and was argued by counsel. On consideration whereof, It now here ordered and adjudged by

Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice White

The People of Porto Rico, Appellant, vs. Manuel Rosaly y Castillo. 145. Appeal from the Supreme Court of Porto Rico.

This cause came on to be heard on the transcript of the record from the Supreme Court of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice White.

Home Telephone & Telegraph Co., Appellant, vs. City of Los Angeles et al. 610. Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the tran-

of the United States for the Southern
of California, and was argued by
consideration whereof, It is now he
adjudged and decreed by this Cou
decree of the said District Court in
be, and the same is hereby, reversed
and that this cause be, and the sa
by, remanded to the said District
further proceedings.

Per Mr. Chief J

307. The Pullman Co., Appellant, vs. A. C. Croom, as Comptroller of the State of Florida, et al.

Our cons
of the m
advance
for argum
case No.
docket fo

term, It is now here ordered by the
said motion be, and the same is h
ed.

Per Mr. Chief J

736. The United States, Appellant, vs. The Mille Lac Band of Chippewa Indians in the State of Minnesota.

Our con
of the
advance
It is
ordered
Court
motion be, and the same is hereby,
and the cause assigned for argume
Monday, April 7th next after the

before assigned for that day.
Per Mr. Chief Justice White.

923. Frank Quinn et al., vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 7th next, after the cause heretofore assigned for that day.
Per Mr. Chief Justice White.

944. Charles N. Swigart et al., Appellants, vs. D. P. Baker. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 7th next, after the cases heretofore assigned for that day.
Per Mr. Chief Justice White.

863 The United States, Plaintiff in Error, vs. Arnulfo Chaves alias Arnulo Chaves.
864 The United States, Plaintiff in Error, vs. Jose Mesa.
878 The United States, Plaintiff in Error, vs. John A. Dunn et al.
918 The United States, Plaintiff in Error, vs. Bob Wright
943. The United States, Plaintiff in Error, vs. Alfred Shelley

these cases, and place them on the summary docket. It is now here ordered by the Court that the said motions be, and the same are hereby, granted.

Per Mr. Chief Justice White

Joseph F. Guffey, A. S. Guffey, E. N. Gillespie and Robert Pitcairn, Jr., Petitioners
vs.
James A. Smith, J. W. Dolley, C. F. Johnson, Walter Verhig and The Ohio Oil Co.

402.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

946 Joseph F. Guffey, N. S. Guffey, E. M. Gillespie, and Robert Pitcairn, Jr. vs. Susannah Smith, J. W. Dolley, C. F. Johnson, Walter Hennig and The Ohio Oil Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

947 Malleable Iron Range Co., Petitioner. vs. Arthur K. Beetwich — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same

957. Fred D. May, Thomas B. May, William M. Johnson and E. W. Bailey, Petitioners, vs. The United States.

On petition ... writ of ... to the ... States C... of Appeal... Eighth C...

On consideration of the petition for ... of certiorari herein to the United Sta... cuit Court of Appeals for the Eighth ... and of the argument of counsel there... as well in support of as against the ... is now here ordered by this Court that ... petition be, and the same is hereby ...

Per Mr. Chief Ju...

715. Harry K. Johnson, Plaintiff in Error, vs. The United States.

The mot... miss in ... was subm... the consi...

of the Court on printed arguments ... licitor General Bullitt and Mr. Assi... torney General Harr, of counsel for the ... ant in error, in support of the motion ... Mr. Edward J. Fox, of counsel for the ... in error, in opposition thereto.

Mr. Solicitor General Bullitt submit... consideration of the Court a motion ... the Clerk of this Court to give a new ... pursuant to Section 220 of the Judi... approved March 3, 1911.

182 John T. Baxter,
vs. Plaintiff in Error,
The Buchholz Hide
Transportation Co.,

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Corey M. Madden in behalf of Mr. Arthur English, of counsel for the defendant in error, in support of the motion, and by Mr. Charles C. Burlingham, of counsel for the plaintiff in error, in opposition thereto.

168. Marcelina Torres Zayas,
vs. Appellant & Plaintiff in Error,
Lochrop, Luce & Co., Pedro Juan
Rosaly y Capo, and Alice Lochrop

Appeal from and in Error to the Supreme Court of Porto Rico.

Mr. Horace N. Dodge, in behalf of counsel for the appellant, and plaintiff in error, suggested the death of Pedro Juan Rosaly y Capo, one of the appellees and defendants in error in this cause, and moved the Court for an order, under the 15th Rule, to make the proper representations parties: Whereupon, it is now here ordered by the Court that unless the proper representatives of the said Pedro Juan Rosaly y Capo, deceased as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the appellant and plaintiff in error shall be entitled to open the record, and on hearing, have the judgment

or decree reversed, if it be erroneous: Provided, however, that a copy of this Order shall be printed in some newspaper of general circulation in Porto Rico for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

977. Isaac B. Walker, Petitioner, vs. The United States. — The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Hannis Taylor, Mr. Francis M. Etheridge, and Mr. Joseph M. McCormick in support of the same.

615 The United States, Appellant, vs. Harvey Steel Co.
616 Midvale Steel Co., Appellant, vs. Harvey Steel Co. — On motion of Mr. L. F. H. Bates, of counsel for the Harvey Steel Company, It is ordered by the Court that leave be, and the same is hereby, granted the Clerk to issue the mandates in these cases.

172. Isidor Straus et al &c., Plaintiffs in Error, vs. American Publishers Association et al. — The motion to continue this cause until the next term was submitted to the consideration of the Court on [illegible]

by Mr. Wallace Macfarlane and Mr. Edmond E. Wise, of counsel for the plaintiffs in error in support of the motion, and by Mr. Stephen N. Olin and Mr. John G. Milburn, of counsel for the defendants in error, in opposition thereto.

679, 703, 710, 711 — International Harvester Co. of America, Plaintiff in Error, vs. The Commonwealth of Kentucky.

Mr. Charles Carroll, of counsel for the defendant in error, submitted to the consideration of the Court motions to advance these cases.

961. — Josephine S. McGowan, Executrix, etc., et al., Petitioners, vs. Emily E. Parish, Executrix, etc.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Nathaniel Wilson and Mr. J. J. Darlington in support of the same, and by Mr. Holmes Conrad and Mr. Leigh Robinson in opposition thereto.

No. — Original. — In the matter of the petition to strike the name of Fletcher Dobyns from the roll of attorneys of this Court.

Mr. William Armstrong submitted to the consideration of the Court a motion for

Fletcher Dobyns from the roll of attorneys of this Court.

954. Mary A. Velati, Petitioner, vs. William J. Dant, Trustee. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Wilson J. Lambert in support of the same, and by Mr. Edwin C. Brandenburg, Mr. Clarence A. Brandenburg, and by Mr. F. Walter Brandenburg in opposition thereto.

942. Missouri, Kansas & Texas Railway Co., et al., Petitioners, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Evans Browne in behalf of Mr. Cecil N. Smith in support of the same.

820 Antonio Maria Peralta et al., Appellants, vs. The State of California et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Evans Browne, Mr. A. B. Browne, Mr. Alexander Brittan, Mr. E. S. Pillsbury, Mr. F. D. Madison, Mr. Alfred Sutro and Mr. Oscar Sutro, of counsel for certain appellees in support of the motion, and by

Mr. William H. H. Hart of counsel for the appellants in opposition thereto.

695. Mary K. Peabody et al., vs. The United States. Appellants. Mr. Chauncey Hoskell, of counsel for the appellants, suggested the death of Mary K. Peabody, one of the appellants in this cause, and moved the Court to make Amory Eliot, Administrator of the said Mary K. Peabody, deceased, a party appellant herein, Whereupon, It is now here ordered by the Court that the said Amory Eliot, Administrator of Mary K. Peabody, deceased, be and he is hereby, made a party appellant in this cause.

No. — Original. Ex parte: In the matter of William J. Dante, Collector of the estate of Stilson Hutchins, deceased. Mr. E. C. Brandenburg, Mr. Clarence A. Brandenburg and Mr. T. Waller Brandenburg, of counsel for the petitioner, submitted to the consideration of the Court, a motion for leave to file a petition for writ of mandamus and certiorari in this cause.

768. J. A. Folger, vs. Petitioner. Kate C. Putnam, Administratrix etc. The petition for a writ of certiorari herein was submitted to the consideration of the

guments by Mr Frederick S. Tyler in behalf of Mr. Walter D. Mansfield in support of the same, and by Mr. Edward M. Cleary in opposition thereto.

214. The Dakota Cattle Co., Appellant, vs. The United States and the Sioux Indians.

215. Catherine Howard, Appellant, vs. The United States and the Sioux Indians.

216. The Keystone Land & Cattle Co., Appellant, vs. The United States and the Sioux Indians.

The motions to remand these cases to the Court of Claims for further findings of facts were submitted to the consideration of the Court on printed arguments by Mr. William B. King and Mr. William E. Harvey, of counsel for the appellants.

889. Chicago, Indianapolis & Louisville Railway Co., Plaintiff in Error, vs. Haynes L. Hackett.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Morse Sons, of counsel for the defendant in error, in support of the motion, and by Mr. E. C. Field, Mr. N. R. Kurrie and Mr. John D. Black, of counsel for the plaintiff in error, in opposition thereto.

Henry S. Redmond, Frank-
lin L. Brown, James C.
Bishop, Otto J. Thomsen,
and William R. Cross, Co-
partners, doing business
under the firm name and
style of Redmond & Co.,

164. vs. Appellants,

Peter Alexander, as Trustee in
Bankruptcy of Barnes & Co.

Appeal from the
United States Cir-
cuit Court of Ap-
peals for the Second
Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed without costs to either party.

Per Mr. Chief Justice White

Louis Cella,

700 vs. Appellant,

William Henkel, United
States Marshal in and
for the Southern District
of New York, et al.

Appeal from the
District Court of
the United States
for the Southern
District of New York.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore in pursuance of said

decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

701. Angelo Cella, Appellant, vs. William Henkel, United States Marshal in and for the Southern District of New York, et al. Appeal from the District Court of the United States for the Southern District of New York.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

702. Samuel W. Adler, Appellant, vs. William Henkel, United States Marshal in and for the Southern District of New York. Appeal from the District Court of the United States for the Southern District of New York.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged

Monday, February 24th, 1913, continued

be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

770 Dan Shaw, Plaintiff in Error, vs. The City of Atlanta. In Error to the Court of Appeals of the State of Georgia

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

706 The United States of America et al., Appellants, vs. The Louisville & Nashville Railroad Co., et al. On motion of Mr. Solicitor General Bullitt, of counsel for the Appellants, two hours are allowed each side in the argument of this cause, and on motion of Mr. R. Walton Moore, of counsel for the appellees three counsel are allowed to be heard for the appellees.

The argument of this cause was commenced by Mr. Solicitor General Bullitt, of counsel for the United States.

And the Court then took a recess until 12 o'clock.

Tuesday, February 25th, 1913.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton ... Associate
Charles E. Hughes ... Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William D. McHugh, it is ordered that Duncan M. Vinsonhaler, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Bullitt, it is ordered that Percy M. Cox, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James P. Clarke, it is ordered that Le Roy Percy, Esquire, of Greenville, State of Mississippi, and J. K. Thornton, Esquire, of Alexandria, State of Louisiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. W. E. Richardson, it is ordered that Fred B. Rhodes, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John R. Buck, it is ordered that Alfred B. Beers, Esquire, of Bridgeport, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr George Norris, it is ordered that Oscar C. Anderson, Esquire, of West Point, and Harry L. Keefe, Esquire, of Wisner, State of Nebraska, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that C. E. Pickett, Esquire, of Waterloo, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

706. The United States of America et al., vs. Appellants, The Louisville & Nashville Railroad Co., et al

The argument of this case was continued by Mr. Solicitor General Bullitt, of counsel for The United States; by Mr. William A. Wimbish, of counsel for Duncan & Co., et al.; by Mr. K. T. McConnico and Mr. Albert S. Brandeis, of counsel for the appellees, and concluded by Mr. Charles W. Needham, of counsel for the Interstate Commerce Commission.

314. Juan Peco, vs. Plaintiff in Error, The United States.

The argument of this cause was commenced by Mr. Clement L. Bouvé, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Wednesday, February 5th, 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. T. N. E. Woodcock, it is ordered that Hal N. Smith, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

840 The United States. Appellant, vs. The Terminal Railroad Association of St. Louis et al. Appeal from the District Court of the United States for the Eastern District of Missouri.

This cause having been called to the attention

counsel for appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr Chief Justice White

977 Isaac B. Walker, Petitioner, vs. The United States.

On motion of Mr Solicitor General Bullitt, of counsel for the respondent, leave is hereby granted to file a brief for the respondent in this cause.

214 The Dakota Cattle Co., Appellant, vs. The United States and the Sioux Indians

215 Catherine Howard, Appellant, vs. The United States and the Sioux Indians.

216 The Keystone Land & Cattle Co., Appellant, vs. The United States and the Sioux Indians.

On motion of Mr. Solicitor General Bullitt, of counsel for the appellees, leave is hereby granted to file a brief in opposition to the motions to remand these cases to the Court of Claims for further findings of facts, on or before Friday next.

Ex parte: In the matter of The American Steel Barrel Co., and Elizabeth C. Seaman, Petitioners

No. Original.

Mr. Alexis C. Browne and Mr. John C. Spooner, of counsel for the petitioners submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus in this cause.

314. Juan Pico, Plaintiff in Error, vs. The United States.

The argument of this cause was continued by Mr. Clement L. Bouvé, of counsel for the plaintiff in error, and concluded by Mr. Solicitor General Bullitt, of counsel for the defendant in error.

697. The United States of America, Plaintiff in Error, vs. The Pacific & Arctic Railway & Navigation Co., et al.

This cause was argued by Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, and by Mr. W. N. Bogle, of counsel for the defendants in error.

442. The United States, Plaintiff in Error, vs. William George

This cause was argued by Mr. Solicitor General, of counsel for the plaintiff in error, and Mr. J. J. Halligan, of

705 The United States, plaintiff in Error, vs. O. T. Anderson.

This cause was argued by Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, and leave was granted counsel for the defendant in error to file a brief on or before March 10, next.

Proclamation being made, the Court is adjourned

Thursday, February 27, 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William D. McHugh, it is ordered that George W. Prince, Esquire, of Galesburg, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. M. Daugherty, it is ordered that D. J. Cable, Esquire, of Lima, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edgar M. Kitchin, it is ordered that Arthur L. Davis, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Stone, it is ordered that John A. Blevins, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

166. Umeno Shigematsu, Appellant, vs. N. Noerfeld & Co, Limited — Appeal from the District Court of the United States for the District of Hawaii.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Amory Eliot, Administrator, etc., et al.,
695. vs. Appellants,
The United States.

Thus cause was argued by Mr. John Lowell, of counsel for the appellants, and by Mr. Frederick de C. Faust, of counsel for the appellee

The United States of America,
748 vs Plaintiff in Error,
Felipe Sandoval.

Thus cause was argued by Mr. Solicitor General Bullitt, of counsel for the plaintiff in error, and by Mr. A. B. Renehan, of counsel for the defendant in error.

Omaha Electric Light & Power Co.,
162. vs. Appellant,
The City of Omaha et al.
Old Colony Trust Co.,
754 vs. Appellant,
The City of Omaha.

The argument of these cases was commenced by Mr. William D. McHugh, of counsel for the appellant in No. 754.

Proclamation being made, the Court is adjourned

Friday February 28th, 1913.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that William Jennings Price, Esquire, of Danville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

162 Omaha Electric Light & Power Co. vs. The City of Omaha et al. Appellant.

754 Old Colony Trust Co., vs. The City of Omaha et al. Appellant.

The argument of these cases was continued by Mr. William D. McHugh, of counsel for the appellant in No. 754 and by Mr.

of counsel for the appellees and concluded by Mr. Edgar N. Scull, of counsel for the appellant in No. 162.

59 Joseph Murrone, Plaintiff in Error, vs The Washington Jockey Club of the District of Columbia et al.

This cause was argued by Mr Lorenzo A. Bailey, of counsel for the plaintiff in error, and by Mr A. S Worthington, of counsel for the defendants in error.

60 Annie Sweeney, Plaintiff in Error, vs William G. Erwin

This cause was argued by Mr. Lorenzo A. Bailey, of counsel for the plaintiff in error, and by Mr. Charles L. Franklin and Mr A. S. Worthington, of counsel for the defendant in error.

71 Joseph Parker Bump, Appellant, vs Kate Willard Boyd et al.

The argument of this cause was commenced by Mr Hugh T. Taggart, of counsel for the Appellant

Proclamation being made, the Court is adjourned

Monday, March 3d, 1913.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M. Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General Wickersham, it is ordered that Frank Hall Davis, Esquire, of Dover, State of Delaware, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. W. B. Francis, it is ordered that W. B. Lynch, Esquire, of Woodsfield, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monday, March 3d, 1913 continued

On motion first made to the Court in this behalf by Mr. Solicitor General Bullitt, it is ordered that Arthur M. Keeler, Esquire, of Minneapolis, State of Minnesota, and Charles B Williams, Esquire, of St Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that John W Guild, Esquire, of Oakland, State of California; Thomas Tibbar Dickinson, Esquire of Little Rock, State of Arkansas, and A. P Wozencraft, Esquire, of Dallas, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John N. Blevins, it is ordered that Frans E. Lindquist, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. S. Pepper, it is ordered that E G. Moon, Esquire, of Ottumwa, State of Iowa, be admitted to practice as an attorney and

accordingly.

On motion first made to the Court in this behalf by Mr John B. Larner, it is ordered that William J. Bacon, Jr., of Washington District of Columbia, Esquire, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Frank E. Doremus, it is ordered that Bernard Goldman, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Cobb, it is ordered that George N. Bartlett, Esquire, of Reno, State of Nevada, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. W. Rucker, it is ordered that J. L. Gammon, Esquire, of Waxahachie, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew J. [illegible]

that Charles S Sullivan and William H. Murray, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

In the matter of the petition to strike the name of Fletcher Dobyns from the roll of attorneys of this Court. Orgnal.

On consideration of the motion of William Armstrong for leave to file the above styled petition, It is now here ordered by the Court that said motion be, and the same is hereby, denied

per Mr. Chief Justice White.

Ex parte: In the matter of William J. Dante, Collector of the estate of Stilson Hutchins, deceased. Petitioner Orgnal.

On consideration of the motion for leave to file the petition for writs of mandamus or certiorari herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice White.

Ex parte: In the matter of William J. Dante, Collector of the Estate of Salvon Nalchemis, deceased. Petitioner

Original

On consideration of the petition for writs of mandamus or certiorari herein, It is now here ordered by the Court that cause be shown by the Judges of the Court of Appeals of the District of Columbia, before this Court, at the City of Washington, on Monday, April 7th, 1913. at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice White

Ex parte: In the matter of American Steel Barrel Co. and Elizabeth C. Seaman, Petitioners.

Original

On consideration of the motion for leave to file a petition for writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted

Per Mr. Chief Justice White

Ex parte: In the matter of American Steel Barrel Co. and Elizabeth C. Seaman. Petitioners

Original

On consideration of the petition for a writ of mandamus herein, It is now

by Hon. Thomas I Chalfield, District Judge of the United States for the Eastern District of New York, Hon. E. Henry Lacombe, Senior Circuit Judge of the Second Circuit, and Hon Julius M. Mayer, District Judge of the United States for the Southern District of New York, before this Court, at the City of Washington on Monday, April 7, 1913, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

per Mr. Chief Justice White

172. Isidor Straus et al., composing the firm of R. H. Macy & Co., vs. Plaintiffs in Error, American Publishers Association et al.

On consideration of the motion to continue this cause until the next term, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White

679 International Harvester Co. of America, vs. Plaintiffs in Error, Commonwealth of Kentucky

703 International Harvester Co. of America, vs. Plaintiffs in Error

On consideration of the motions to advance these cases, It is now here ordered by the Court that

710	International Harvester Co. of America, vs Plaintiff in Error. Commonwealth of Kentucky.	tions be, and the same are hereby, denied. Per Mr. Chief Justice White.
711	International Harvester Co. of America, vs Plaintiff in Error. Commonwealth of Kentucky.	
912	Missouri, Kansas & Texas Railway Co. of Texas and American Security Co. of New York, vs Petitioners. The United States.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

956	Mary A. Velati, vs Petitioner William J. Dante, Trustee.	On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ

certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

961. Josephine P. McGowan, Executrix of Jonas N. McGowan, deceased, and Elijah V. Brookshire, Petitioners, vs. Emily E. Parish, Executrix of Joseph W. Parish, deceased.

On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

976 J. N. Folger, Petitioner
vs.
Nate C. Putnam, Administratrix of the estate of Fred C. Putnam, deceased, J. K. Schroeder and A. Bernier.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

977. Isaac B. Walker, Petitioner,
vs.
The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby denied.

214 The Dakota Cattle Co., vs. Appellant, The United States and the Sioux Indians
Catherine Howard, 215 vs. Appellant, The United States and the Sioux Indians
The Keystone Land & Cattle Co. 216 vs. Appellant, The United States and the Sioux Indians

On consideration of the motions to remand these cases to the Court of Claims for further findings of facts, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

Per Mr. Chief Justice White.

Harry K. Johnson, 715. vs. Plaintiff in Error, The United States.

It is ordered by the Court that this cause be placed on the summary docket.

Per Mr. Chief Justice White.

Antonio Maria Peralta et al., 820 vs. Appellants, The State of California et al.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same

the cause on the merits.

per Mr. Chief Justice White

911 The United States ex rel. Sali Zimmerspitz, vs. Appellant, R. L. Prentis et al.

Mr. Solicitor General Bullitt, of counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause and place the same on the summary docket.

983 The United States. vs. Petitioner. F. W. Whitredge, Receiver, etc.

984 The United States. vs. Petitioner, A. N. Jolini et al., Receivers, etc., et al.

The petition for writs of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Bullitt and Mr. William C. Herron in support of the same, and Mr. Arthur N. Masten and Mr. Matthew C. Fleming in opposition thereto.

988 Mississippi Valley Fuel Co., et al., vs. Petitioners. Watson Coal Co.

The petition for a writ of certiorari herein was submitted to the consideration of

B. Williams and Mr. Thomas William White in support of the same, and by Mr. John N. Blevins in opposition thereto.

Mary Genevieve Pennell, Admx, etc.,
456. vs. Plaintiff in Error,
Philadelphia & Reading Railway Co.

Mr. George Dimmick and Mr. Charles N. Burr, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause or place the same on the summary docket.

Oscar W. White,
Original. vs. Plaintiff,
Don Enrique Borja

Mr. John Ridout, of counsel for the plaintiff, submitted to the consideration of the Court a motion for leave to file a declaration herein.

Joseph Atwater,
173. vs. Plaintiff in Error.
W. T. Hassett, Judge, Neal Gladish, Inspector, and Mark Saunders, Clerk of Precinct A, Fifth Ward in Oklahoma City, Okla.

In Error to the Supreme Court of the State of Oklahoma.

This cause having been called for hearing

the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr Chief Justice White

Frederick M. Hubbell,
Frederick C. Hubbell,
and Grover C. Hubbell,
as Trustees of the Frederick M. Hubbell Estate,
171. vs. Plaintiffs in Error,
Lafayette Higgins

In Error to the Supreme Court of the State of Iowa.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Ex parte: In the matter of Gordon R. McGee,
Original. Petitioner.

Mr. Frans E. Lindquist, of counsel for the petitioner, submitted to the

to file a petition for a writ of habeas corpus in this cause.

962. Theresa L. Laugt et al., Petitioners. vs. The Choctaw, Oklahoma & Gulf Railroad Co. et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. R. D. McKellar in behalf of Mr. William M. Randolph and Mr. Wassell Randolph in support of the same, and by Mr. Thomas S. Bugbee, in opposition thereto

655. Chicago & Northwestern Railway Co., Plaintiff in Error, vs. Hugh Rowlands

The motion to dismiss or affirm in this cause was submitted to the consideration of of the Court on printed arguments by Mr John J. Cook, of counsel for the defendant in error, in support of the motion, and by Mr Edward M. Smart, of counsel for the plaintiff, in error, in opposition thereto

71. Joseph Parker Camp, Appellant. vs. Kate Willard Boyd et al.

The argument of this cause was continued by Mr. Hugh T. Taggart, of counsel for the appellant, and by Mr. R. Ross Perry, of-

Tuesday, March 4th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

The Chief Justice announced that the Court would take a recess for the purpose of attending the inauguration of the President of the United States.

The oath of office was administered to the Honorable Woodrow Wilson as President of the United States, by the Chief Justice, and the Court reconvened

Proclamation being made, the Court is adjourned

Wednesday, March 5th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John E. Raker, it is ordered that Lawrence F. Puter, Esquire, of Eureka, and Arthur N. Barendt, Esquire, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel P. J. McKenna, it is ordered that James A. Cahill, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and coun-

dingly.

On motion first made to the Court in this behalf by Mr. W. N. Chrichton Clarke, it is ordered that Edward Thomas Curran, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Burnett, it is ordered that William L. Chenault, Esquire, of Russellville, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

761. Phoenix Knitting Works, Appellant, vs. Nathan J. Rich, Henry J. Rich, and Samuel S. Samplines, doing business under the firm name and style of N. J. Rich & Co. Appeal from the District Court of the United States for the Northern District of Ohio

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby,

Wednesday, March 5th, 1913. continued

175. Abilene National Bank of Abilene et al., vs. Appellants, Joseph N. Dolley, as Bank Commissioner, &c. et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr John L. Webster, Mr. B. S. Waggener, Mr. Wheeler H. Long, Mr J. W. Gleed, of counsel for the appellants, and by Mr. John S. Dawson and Mr F. B. Jackson of counsel for the appellees.

71. Joseph Parker Camp, vs. Appellant. Kate Willard Boyd et al.

The argument of this cause was continued by Mr R. Ross Perry, of counsel for the appellees, and concluded by Mr. Hugh T. Taggart, of counsel for the appellant.

167. Roscoe Lyle, vs. Appellant, George W. Patterson et al

This cause was argued by Mr George C. Scott, of counsel for the appellees, and submitted on a printed argument by Mr. Madison B Davis, of counsel for the appellant.

	Henry Bogert et al., Executors, etc.,	This ca
165.	vs. Appellants,	qued b
	The Southern Pacific Co., et al.	Snowde
		of coun
		appella
		Arthur

Brunt, of counsel for the appellees.

	The United States of America on the relation of Herman Knight.	The a
		this
		coun
163	vs. Plaintiff in Error,	Mr.
	Walter L. Fisher, Secretary of the Interior.	McKe
		sel for
		leff in

Proclamation being made, the Cour

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bullitt, it is ordered that Pendleton Beckley, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that John L. Caldwell and Hubert Gardner, Esquires, of Fort Scott, and Joseph Taggart, Esquire, of Kansas City, State of Kansas, be admitted to practice as attorneys

sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. P. Pujo, it is ordered that L. E. Hall, Esquire, of Baton Rouge, and Lawrence O'Donnell, Esquire, of New Orleans, State of Louisiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew J. Peters, it is ordered that Thomas N. Dowd and David B. Shaw, Esquires, of Boston; John P. S. Mahoney, Esquire, of Lawrence; Thomas P. Riley, Esquire, of Malden, and J. Joseph O'Connor, Esquire, of Lowell, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court; and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. D. Clark, it is ordered that Marshall S. Reynolds, Esquire, of Cokeville, and Ralph W. Smith, Esquire, of Kemmerer, State of Wyoming, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank E. Doremus, it is ordered that Walter Barlow and Fr[illegible]

Warren, Esquires, of Detroit, State of Michigan, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Joseph D. Sullivan, it is ordered that Edwin J. Brown, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that T. N. Poynter, Esquire, of Frankfort, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. T. Wooldridge, it is ordered that J. N. Harrod and George B. Pugh, Esquires, of Little Rock, and Charles D. James, Esquire, of Eureka Springs, State of Arkansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Rinke Maisen alias Rinke Maisels,
224 vs. Appellant.
Louis F. Weis, United States Commissioner of Immigration for the Port of Baltimore, et al.

Appeal
Distric
the Un
for the
Mary

It appearing to the Court that a mo
sel for the appellant to dismiss the a
been filed, Therefore, in pursuance of
tion, it is now here ordered, adjudg
ered by this Court, that the appea
the same is hereby, dismissed with c

per Mr. Chief J

The United States of America
on the relation of Herman Knight.
163. vs. Plaintiff in Error,
Walter L. Fisher, Secretary of the Interior

retirement of Walter L. Fisher and
ment of Franklin K. Lane as his su
Secretary of the Interior, and moved
to make the said Franklin K Lane,
of the Interior, the party defendant
this cause, Whereupon, It is now her
by the Court that the said Franklin
Secretary of the Interior be, and he is
made the party defendant in error

163. The United States of America on the relation of Herman Knight, vs. Plaintiff in Error Franklin K. Lane, Secretary of the Interior.

The argument of this cause was continued by Mr. Frederic D. McKinney, of counsel for the plaintiff in error, and by Mr. Assistant Attorney General Cobb, of counsel for the defendant in error, and concluded by Mr. Frederic D. McKinney, of counsel for the plaintiff in error.

169. The Fair, vs. Appellant, Kohler Die & Specialty Co.

This cause was argued by Mr. David S. Wegg, of counsel for the appellant, and submitted on a printed argument by Mr. Frank T. Brown and Mr. Francis N. Hopkins, of counsel for the appellee.

170. Charles Dunmer Barry et al., Surviving Partners, etc., vs. Appellants The United States.

This cause was argued by Mr. George A. King, of counsel for the appellants, and by Mr. Frederick D. C. Faust, of counsel for the appellee.

171 Truman R. Hawley, Plaintiff in Error,
vs.
The City of Malden.

The argument of this cause was commenced by Mr. Courtenay Crocker, of counsel for the pleaintiff in error, and continued by Mr. N. L. Boutwell, of counsel for the defendant in error, and by Mr Nathan Matthews, of counsel for the pleaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow at [illegible]

Friday, March 7th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William A. Cullop, it is ordered that Victor Keller, Esquire, of San Antonio, State of Texas, and John H. Riddle, Esquire, of Linton, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Murphy, it is ordered that George G. Shaw, Esquire, of Kaufman, State of Texas, be admitted to practice as an attorney and counsellor of this Court,

On motion first made to the Court in this behalf by Mr. Duncan U. Fletcher, it is ordered that Horace C. Gordon, Esquire, of Tampa, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. E. Hinton, it is ordered that George W. MacKenzie, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. E. Jeffries, it is ordered that Robert Benson Evins, Esquire, of Greensboro, State of Alabama, and J. V. Norman and Edward P. Humphrey, Esquires, of Louisville, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James R. Mann, it is ordered that G. M. Stephen, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the

behalf by Mr. James C. Needham, it is ordered that John Edmundson Alexander, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Seawell, it is ordered that William F. Cowan, Esquire, of Santa Rosa, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. J. Walsh, it is ordered that James Sulgrove, Esquire, of Choteau, State of Montana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

171 Truman R. Hawley, Plaintiff in Error, vs. City of Malden. The argument of this cause was concluded by Mr. Nathan Matthews, of counsel for the plaintiff in error.

172 Isidor Straus et al., &c., Plaintiffs in Error, vs. American Publishers' Association et al. This cause was argued by Mr. Wallace Macfarlane, of counsel for the

and by Mr. Stephen N. Olen. and Mr. John G. Milburn, of counsel for the defendants in error.

176. George N. Fuller Co., vs. Plaintiff in Error. Wilson A. McCloskey

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward S. Duvall, Jr., of counsel for the plaintiff in error, and by Mr. S. V. Hayden and Mr. Hayden Johnson, of counsel for the defendant in error.

177. Sy Joe Leing et al., vs. Apple & Rife in Error. Gregorio Sy Luia et al.

The argument of this cause was commenced by Mr. Jackson N. Ralston, of counsel for the appellants and plaintiffs in error.

Proclamation being made, the Court is adjourned until Monday next at ten o'clock A.

Monday, March 10th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. T. Denison, it is ordered that Alden Shirley Bradley, Esquire, of Swainsboro, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Shepard Barclay, it is ordered that S. M. Breckinridge Long, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. J. Kappler, it is ordered that L. M. Keys, Esquire, of Hobart, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William N. Cromwell, it is ordered that Arthur L. Sprinkle, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Conrad N. Syme, it is ordered that John B. Dahlgren, Esquire, of Santa Cruz, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Borah, it is ordered that John F. MacLane, Esquire, of Boise, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred S. Austrian, it is ordered that Charles M. Hale, Esquire, of

State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. R. Brown, it is ordered that Charles E. Avery Esquire, of Missoula, State of Montana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

16. The Kansas City Southern Railway Co., Plaintiff in Error, vs J. M. Carl. In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Lurton.

Dissenting;

121. Missouri, Kansas & Texas Railway Co., Plaintiff in Error, vs. Robert L. Harriman and Albert C. Harriman, composing a firm and copartnership of Harriman Brothers — In Error to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Civil Appeals for such further proceedings as may be consistent with the opinion of this Court.

Per Mr. Justice Lurton.

Mr. Justice Hughes concurs in the result

Dissenting:

Mr. Justice Pitney

54 Joseph Murrone, Plaintiff in Error, vs. The Washington Jockey Club of the District of Columbia, B. S. Howland, Henry J. Morris and Samuel Ross. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

882. John F. Baxter, Plaintiff in Error, vs. Buchholz-Nice Transportation Co. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

962. Theresa L. Lang, and John Lang, her husband, Virginia C. Harrison et al., Petitioners. vs. The Choctaw, Oklahoma & Gulf Railroad Co., et al.

On consideration of the petition for certiorari herein to the United States Court of Appeals for the Eighth Cir the argument of counsel thereupon well in support of as against the sa now here ordered by this Court th petition be, and the same is hereby

Per Mr. Chief

985. Mississippi Valley Fuel Co. and American Surety Co., of New York, Petitioners vs. Wilson Coal Co.

On pet of certi United cuit Co peals f Circuit

On consideration of the petition for certiorari herein to the United State Court of Appeals for the Seventh Ci of the argument of counsel thereupon well in support of as against the sa now here ordered by this Court that petition be, and the same is hereby,

Per Mr. Chief

983. The United States. Petitioner. vs. Frederick W. Whitridge, as Receiver of the Third Avenue Railroad Co., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

984. The United States, Petitioner vs Adrian N. Joline and Douglas Robinson, as Receivers of the Metropolitan Street Railway Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by this Court that the said petition be, and the same is hereby, granted.

911. The United States ex rel. Dali Zimmerfeltz, vs. Appellant, R. L. Prentis and C. N. Paul.

Qu
of the
advan
and fi
the su
It is o

Court that the said motion be, un
is hereby, granted

Per Mr. Chief J

655. Chicago & Northwestern Railway Co., vs. Plaintiff in Error, Hugh Rowlands

It
by
that
be p
sum

Per Mr. Chief J

986. Mary Genevieve Pennell, Administratrix of the estate of Jay Allen Pennell, deceased, vs. Plaintiff in Error, Philadelphia & Reading Railway Co.

Qu
two
lio
the
pla
sum
to,
by

that the said motion be, and the sa
denied.

Per Mr. Chief J

Ex parte: In the matter of Gordon R. McGee, Petitioner. Original.

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

per Mr. Chief Justice White.

Order.

It is ordered that the cases heretofore transferred to the summary docket be, and the same are hereby, assigned for argument on Monday, April 7th next, after the cases heretofore assigned for that day. per Mr. Chief Justice White

Order.

On consideration of the motion of the Attorney General to require the Clerk of this Court to give a new bond in the sum of Twenty thousand dollars, and in pursuance of Section 2210 of the Judicial Code, approved March 3, 1911,

It is now here ordered by the Court that the said Clerk give bond with sufficient sureties to the United States in the sum of Twenty thousand dollars, and that the same be recorded in this office, and that the original bond be filed in the Department of Justice.

per Mr. Chief Justice White

sented, and approved, and is in the fol
words, viz:

Know all men by these presents, J
James N. McKenney, as principal and
States Fidelity and Guaranty Company
are held and firmly bound unto The Uni
of America in the penal sum of Twen
dollars ($20,000.00) lawful money of t
States, to be paid to the said United
America, or their certain attorney, to whi
well and truly to be made, we bind ou
our and each of our heirs, executors, ad
and assigns, jointly and severally, firml
presents

Sealed with our Seals and dated thi
of March, A. D. 1913.

Whereas, the above bounden James
hath been appointed Clerk of the Supre
of the United States,

Now, therefore, the condition of the abo
tion is such that if he, the said James
ney, shall faithfully discharge the duties
said office, and seasonably record the
judgments and determinations of th
Supreme Court of the United States, t
obligation to be void, otherwise to rem
full force and virtue in law.

(Signed) James N. M
(Signed) United States F
Guaranty Comp

Signed, sealed and delivered in the presence of-
(Signed) F. D. McKenney
(Signed) James D. Maher.
Approved, March 10, 1913.
by order of the Court.
(Signed) Edward D. White,
Chief Justice.

Mr. Solicitor General Bullitt presented to the Court the Honorable James Clark McReynolds as Attorney General of the United States, and the Chief Justice said:

"Mr. Attorney General, you are not a stranger at this bar, in view of your former official position of the cases you have here argued, of the assistance previously afforded in the conduct of the business of the Government. These considerations give me a warm personal satisfaction in extending to you in the name of the Court an official welcome. The clerk will record the commission."

Said commission is in the following words, viz:

Woodrow Wilson,

President of the United States of America,

To all who shall see these Presents, Greeting:

Know Ye, that reposing special trust and confidence in the Patriotism, Integrity and Abilities of James Clark McReynolds of Tennessee,

vice and consent of the Senate do appo
Attorney General, and do authorize an
him to execute and fulfil the duties
Office according to Law, and to have
the said Office, with all the powers,
and emoluments to the same of right
ing, unto him the said James Clark M
during the pleasure of the President o
States for the time being.

In testimony whereof I have caus
ters to be made Patent, and the Seal
States to be hereunto affixed.

Given under my h
City of Washington,
day of March in t
our Lord one thous
hundred and thirte
the Independence o
of America
States the one hund
thirty-seventh.

Woodrow W

(Seal.)

By the President:
William Jennings Bryan.
Secretary of State.

980. Henry Lair, Petitioner vs. The United States.

The petition
of certiorari
submitted to
sideration of
on printed arguments by Mr. Corry

port of the same, and Mr. Assistant Attorney General Harr in opposition thereto.

726. The City of Chicago, Petitioner, vs. William Munroe et al., Executors, etc., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles M. Hafe, in behalf of Mr. John W. Beer with, in support of the same.

1003. Citizens Wholesale Supply Co., Petitioner vs. E. N. Snyder et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. T. Walter Fowler in support of the same.

951. Bauer & Cie. et al. vs. James O'Donnell. Mr. E. J. Prindle, of counsel for Bauer & Cie. et al., submitted to the consideration of the Court a motion to advance this cause.

1001 & 1002. San Francisco Chemical Co., Petitioner vs. Morse S. Duffield et al. The petition for writs of certiorari herein was submitted to the consideration of the Court by Mr. Evans Browne, Mr. D. Worth Clark, Mr. A. B. Browne, and Mr. Alexander

186. Thomas A. Fields, Appellant, vs. George F. White, United States Marshal, &c. On motion of Mr. Assistant Attorney General Denison, It is ordered by the Court that this cause be, and the same is hereby, passed for settlement.

220 The Pullman Co., Plaintiff in Error, vs. Ellsworth C. Thorne, Receiver, et ac. In Error to the Supreme Court of the State of Ohio

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

*220 see p. 501.

899. J. Butler Studley, Trustee, &c., Appellant, vs. The Boylston National Bank of Boston. The motion to affirm or transfer this cause to the summary docket was submitted to the consideration of the Court on the record and printed arguments by Mr. Hollis R. Bailey, of counsel for the appellee, in support of the motion, and by Mr. William N. Dunbar, of counsel for

177. Joe Suing et al., vs. Apple & Riffe in Error. Gregorio Suing et al. — The argument of this cause was continued by Mr. Jackson N. Ralston, of counsel for the appellants and plaintiffs in error, and by Mr. J. N. Blount and Mr. Antonio M. Opisso, of counsel for the defendants in error and appellees, and concluded by Mr. Jackson N. Ralston, of counsel for the appellants and plaintiffs in error.

11, Original. Ex parte: In the matter of the First National Bank of Dexter, New York, Petitioner. — The argument of this cause was commenced by Mr. Charles L. Frailey, of counsel for the petitioner, and continued by Mr. J. J. Darlington, of counsel for the respondent.

*220 The Pullman Co., vs. Plaintiff in Error. Ellsworth C. Irvine, Receiver, et al. — It is ordered by the Court that leave be, and the same is hereby granted the Clerk to issue the mandate in this cause

Proclamation being made, the Court is adjourned

Tuesday, March 11th, 191

(Pursuant to adjournment, the Court
at the Capitol.

Present:

The Honorable Edward D. White, Chi
Joseph McKenna
Oliver Wendell Holm
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire
James H. McKenn

Proclamation being made, the Court

On motion first made to the Court i
by Mr. M. A. Smith, it is ordered th
A. D. Upton, Esquire, of Tombstone,
Arizona, be admitted to practice as
and counsellor of this Court, and he
accordingly.

On motion first made to the Court
half by Mr. C. K. Berkman, it is
William C. Armstrong, Esquire, of
City, be admitted to practice as an
and counsellor of this Court, and
sworn accordingly.

met today

ief Justice.

ues

Associate
Justices

s, Marshal.
ey, Clerk.

is opened.

n this behalf
hat Stephen
State of
an attorney
e was sworn

in this be-
ordered that
New York
attorney
he was

On motion first made to the Court in this behalf by Mr. L. S. Chapman, it is ordered that Harry E. Newell, Esquire, of Syracuse, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. G. Dupre, it is ordered that Philip Julius Chappuis, Esquire, of Crowley, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William N. Lewis, it is ordered that Charles C. Pills, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

818 The Journal of Commerce and Commercial Bulletin, Appellant, vs. Frank H. Hitchcock, Postmaster General, et al.

Mr. Robert C. Morris, of counsel for the appellant, suggested the resignation of Frank H. Hitchcock, as Postmaster General, and George W. Wickersham as Attorney General, the parties appellees in this cause, and the appointment of

their successors in office as Postmaster General and Attorney General, respectively, and moved the Court to make the said Albert S. Burleson as Postmaster General, and James C. McReynolds as Attorney General, the parties appellees in this cause, Whereupon, It is now here ordered by the Court that the said Albert S. Burleson, Postmaster General, and James C. McReynolds, Attorney General, be, and they are hereby, made the parties appellees in this cause.

818. The Journal of Commerce and Commercial Bulletin, Appellant, vs. Albert S. Burleson, Postmaster General, et al. Mr. Robert C. Morris, of counsel for the appellant submitted to the consideration of the Court a motion for a restraining order herein

186 Thomas A. Fields, Appellant, vs. George F. White, United States Marshal for the Southern District of Georgia. Appeal from the Circuit Court of the United States for the Southern District of Georgia.

This cause having been called to the attention of the Court by Mr. Frederick T. Saussy, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, it is now here ordered,

appeal be, and the same is hereby, dismissed with costs. It is further ordered that this cause be, and the same is hereby remanded to the District Court of the United States for the Southern District of Georgia. Per Mr. Chief Justice White

Ex parte: In the matter of the First National Bank of Dexter, New York, Petitioner		The argument of this cause was continued by Mr. J. J. Darlington, of counsel for the respondents, and concluded by Mr. A. S. Worthington, of counsel for the petitioner
11, Original		

Ex parte: In the matter of Benjamin F. Edwards, Petitioner.		This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. W. Millan of counsel for the petitioner, and Mr. J. J. Darlington, of counsel for the respondents.
12, Original.		

The Lewis Publishing Co.,		This cause was argued by Mr. Shepard Barclay, of counsel for the appellant, and by Mr. Solicitor General Bullitt, of counsel for the appellees.
179	vs. Appellant,	
Frank Wyman and James L. Stice.		

180. Jean L. Shelton et al., etc., Appellants,
vs.
Frank B. King et al.

The argument of this cause was commenced by Mr. Henry F. Woodard, of counsel for the appellants

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, March 12, 1913.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph M'Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar.
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. M'Kenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Shepard Barclay, it is ordered that Champ Clark, Esquire, of Bowling Green, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank B. Crosthwaite, it is ordered that Frank B. Burford, Esquire, of Guthrie, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. S. Richards, it is ordered that Barnard J. Stewart, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis N. Dexter, it is ordered that Pedro Amado Rivera, Esquire, of Arecibo, Porto Rico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

185. Juan Z. Rodriguez, Appellant, vs. The People of Porto Rico. Appeal from the Supreme Court of Porto Rico.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

180. Jean L. Shelton et al., &c. Appellants, vs. Frank B. King. The argument of this cause was continued by Mr. Henry F. Woodard, of counsel for the appellants, and Mrs. Ellen S.

the appellee, and concluded by Mr. Henry F. Woodard, of counsel for the appellants.

Metropolis Theatre Co., et al.,
vs. Plaintiffs in Error,
181. City of Chicago et al.

This cause was argued by Mr. Alfred S. Austrian, of counsel for the plaintiffs in error, and by Mr. Charles M. Hafe, of counsel for the defendants in error.

Charles C. Bullingham et al., as Trustees, etc.,
vs. Appellants,
184. Charles M. Crouse

The argument of this cause was commenced by Mr. Dorr Raymond Cobb, of counsel for the appellants, and continued by Mr. W. T. Denison, of counsel for the appellants, and Mr. Levi S. Chapman, of counsel for the appellee.

Proclamation being made, the Court is adjourne

Thursday, March 13th, 1913.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. B. F. Leighton, it is ordered that Ralph P. Barnard and Guy N. Johnson, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Louis T. Carpenter, Esquire, of Phoenix, State of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

184 Charles C. Burlingham et al., as Trustees, etc., vs. Charles M. Crouse. Appellants

The argument of this cause was continued by Mr. Levi S. Chapman and Mr. Henry E. Newell, of counsel for the appellee, and concluded by Mr. Dorr Raymond Cobb, of counsel for the appellants.

595. N. Lee Everell, as Trustee, &c., vs. William D. Judson, as Executor, etc. Petitioner,

This cause was argued by Mr. Charles N. Beekman, of counsel for the petitioner, and by Mr. George S. Ludlow, of counsel for the respondent.

496. Hannah L. Andrews, Executrix, etc., vs. Harvey K. Partridge, Trustee, etc. Petitioner,

This cause was argued by Mr. Samuel N. Richards, of counsel for the petitioner and by Mr. John D. McMullen, of counsel for the respondent

187. Mary Eleanor Wilson et al., vs. Chester N. Snow. Plaintiffs in Error,

The argument of this cause was commenced by Mr. Charles F. Carusi, of counsel for the plaintiffs in error;

Mr. J. J. Darlington, of counsel for the defendant in error

Proclamation being made, the Court is adjourned

Friday, March 14th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney,
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. William L. Carpenter, it is ordered that Herbert E. Boynton, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles D. Fullen, it is ordered that Alfred Zeller and N. D. Folsom, Jr., Esquires, of Seattle, State of Washington, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. Graham, it is ordered that Edmund John Stack, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

196. Charles F. Newcomb, Plaintiff in Error, vs. The State of Washington — In Error to the Supreme Court of the State of Washington

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

197. Mary Eleanor Wilson et al., Plaintiffs in Error, vs. Chester A. Snow. — The argument of this cause was continued by Mr. J. J. Darlington, of counsel for the defendant in error, and concluded by Mr. John C. Cutting, of counsel for the plaintiffs in error.

188. C. N. Rexford, Petitioner, vs. The Brunswick Balke Collender Co. This cause was argued by Mr. Julius C. Martin, of counsel for the petitioner, and by Mr. James N. Merrimon, of counsel for the respondent.

189. Edwin J. Brown, Plaintiff in Error, vs. The State of Washington. This cause was argued by Mr. Edwin J. Brown pro se, and submitted on a printed argument by Mr. W. V. Tanner, of counsel for the defendant in error.

190 John C. Mackay, vs. Uinta Development Co. The argument of this cause was commenced by Mr. Barnard J. Howard of counsel for John C. Mackay.

Proclamation being made, the Court is adjourn

Monday, March 17th 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney,
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General McReynolds, it is ordered that Burt W. Andrews, Esquire, of Orangeburg, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. T. Denison, it is ordered that Edward E. Gann, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Franklin S. Richards, it is ordered that Israel E. Willey, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard P. Whitely, it is ordered that Charles F. Wilcox, Esquire, of New York City, be admitted to practice, as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Duncan U. Fletcher, it is ordered that L. W. Duval, Esquire, of Ocala, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William C. Dennis, it is ordered that Charles Henry Huberich, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that F. N. Prendergast, Esquire, of Marshall, and A. W.

admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Jesse L. Billingsley, Esquire, of Miami, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

163. The United States of America on the relation of Herman Knight, Plaintiff in Error vs. Franklin K. Lane, Secretary of the Department of the Interior, In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Van Devanter

175 Abilene National Bank of Abilene et al., Appellants, vs. Joseph N. Dolley, as Bank Commissioner of the State of Kansas, and Mark Sully, as Treasurer of the State of Kansas. Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Kansas.

Per Mr. Justice Holmes.

951. Bauer & Cie. et al., vs. James O'Donnell. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for Monday, April 7th next, after the cases heretofore assigned for that day.

815 The Journal of Commerce and Commercial Bulletin, Appellant, vs. Albert S. Burleson, Postmaster General, etc., et al.

On consideration of the motion for a restraining order on the appellees herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

726 The City of Chicago, Petitioner, vs. William Munroe and The Michigan Trust Co., Executors of the estate of Thomas Munroe, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

980 Henry Lair, Petitioner vs. The United States

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1001. San Francisco Chemical Co., Petitioner. vs. Morse S. Duffield and Lewis A. Jeffs. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1002. San Francisco Chemical Co., Petitioner vs. Morse S. Duffield and Lewis A. Jeffs. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ

Court of Appeals for the Eighth Ci
the argument of counsel thereupon
in support of as against the same,
ordered by this Court that the said
and the same is hereby denied.

Per Mr. Chief

1003. Citizens Wholesale Supply Co., Petitioner vs. D. N. Snyder et al. On

Court of Appeals for the Third Circ

On consideration of the petition f
certiorari herein to the United Stat
Court of Appeals for the Third Ci
of the argument of counsel thereu
well in support of as against the
now here ordered by this Court tha
petition be, and the same is hereby

Per Mr. Chief

849. J. Butler Studley, Trustee, etc., Appellant, vs. The Boylston National Bank of Boston. On cons
the mo
this cas
many d
now here
by the C

the said motion be, and the same is
ed, and the case assigned for argumen
April 7th next, after the case heretof

162.	Omaha Electric Light & Power Co.. vs. Appellant, The City of Omaha et al.	It is ordered by the Court that these cases be, and they are hereby, restored to the docket for re argument, and as signed for Monday, April 7th next, after the cases heretofore assigned for that day.
754.	Old Colony Trust Co.. vs. Appellant. The City of Omaha	

Per Mr. Chief Justice White

189.	Edwin J. Brown, vs. Plaintiff in Error, The State of Washington	In Error to the Supreme Court of the State of Washington

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

Order

The Reporter having represented that, owing to the number of decisions at the present term, it would be impracticable to put the Reports in one volume, It is, therefore, now here ordered that he publish an additional volume in this

Code, approved March 3, 1911.

per Mr. Chief Justice White

The Chief Justice announced that the Court will take a recess from Monday, the 24th instant, to Monday, April 7 next.

571.	James L. Bradford, Appellant, vs. The United States.	Mr. Assistant to the Attorney General Fowler, of counsel for the appellee, submitted to the consideration of the Court a motion to advance and submit this cause on printed arguments.
1012.	The United States et al., Appellants, vs. The Ohio Oil Co	Mr. Assistant to the Attorney General Fowler, of counsel for the appellants, submitted to the consideration of the Court a motion to advance these cases, and leave was granted Mr. F. L. Crawford to file suggestions as to the time
1013.	The United States et al., Appellants, vs. Standard Oil Co.	
1014.	The United States et al., Appellants, vs. Standard Oil Co. of Louisiana.	

of hearing within two days.

835. Theodore Kharas, Petitioner vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. T. J. Mahoney in support of the same, and Mr. Assistant Attorney General Harr in opposition thereto.

1009. The J. F. Rowley Co., Petitioner vs. E. N. Rowley. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Wharton E. Lester in behalf of Mr. L. S. Loring in support of the same, and the petition for a cross writ of certiorari was submitted by Mr. Frederick S. Tyler in behalf of Mr. Lourie C. Barton in support of the same.

190 John C. Mackay, vs. Uinta Development Co. The argument of this cause was continued by Mr. Barnard J. Stewart, of counsel for John C. Mackay, and concluded by Mr. John W. Lacey, of counsel for the Uinta Development Co.

191. William N. Dill, Plaintiff in Error, vs. William N. Ebey, Receiver, &c. This cause was argued by Mr. Frank B. Burford, of counsel for the

McKenney, of counsel for the defendant in error.

Catherine M. S. Trosch et al.,
vs. Appellants,
William Waller.

1912.

On motion of Mr. Ralph P. Barnard, of counsel for the appellants, three counsel are allowed to argue this cause for the appellants. The argument of this cause was commenced by Mr. Ralph P. Barnard, of counsel for the appellants, and continued by Mr. M. J. Colbert, of counsel for the appellants, Mr. James B. Archer, of counsel for the appellee, and Mr. B. F. Leighton, of counsel for the appellants.

Proclamation being made, the Court is ad-

Tuesday March 18th. 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Charles S. Thomas, it is ordered that Samuel Huston Thompson, Jr., Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States of America, Plaintiff in Error,
vs
Felipe Sandoval.

On motion of Mr. T. B. Catron, in behalf of counsel for the defendant in error, leave is hereby granted to file an additional brief in this cause.

1010 The Board of County Commissioners of the City and County of Denver, vs. Petitioners. The Home Savings Bank.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles S. Thomas, Mr. William N. Bryant, Mr. Milton Smith and Mr. Charles R. Brock in support of the same.

204. Frances A. Miedreich, vs. Plaintiff in Error. Constanze Lauenstein.

On motion of Mr. L. T. Michener, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 4 of rule 26.

192. Catherine M. S. Frosch et al., vs. Appellants. William Walter.

The argument of this cause was concluded by Mr. B. F. Leighton, of counsel for the appellants.

193 Chicago, Burlington & Quincy Railroad Co., Plaintiff in Error, vs. Wilbur J. Cram

194 Chicago, Burlington & Quincy Railroad Co., Plaintiff in Error, vs. James M. Kyle.

These cases were argued by Mr. Hallock F. Rose, of counsel for the plaintiff in error, and by Mr E. J. Clements, of counsel for the defendants in error.

197. Edmund S. Nash et al., Petitioners, vs. The United States.

On motion of Mr. Samuel B. Adams, of counsel for the petitioners, and from additional time is allowed the petitioners, in the argument of this cause. The argument of this cause was commenced by Mr. Samuel B. Adams, of counsel for the petitioners.

Proclamation being made, the Court is adjourned

Wednesday, March 19th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Patrick J. Farrell, it is ordered that George E. Fairland, Esquire, of San Buena Ventura, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. T. Denison, it is ordered that John David Lannon, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that George Thompson, Esquire, of Fort Worth, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

197. Edmund S. Nash et al. Petitioners vs. The United States. The argument of this cause was continued by Mr. Samuel B. Adams, of counsel for the petitioners, and by Mr. Assistant to the Attorney General Fowler, of counsel for the respondent, and concluded by Mr. John C. Spooner, of counsel for the petitioners.

Proclamation being made, the Court is ad-

Thursday, March 20th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Knute Nelson, it is ordered that Daniel Fish, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. M. Johnson, it is ordered that A. Farley Brewer and William Paine Everts, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William N. Thompson, it is ordered that Frederick S. Macy, Esquire, of Liberal, and Joseph D. Houston, Esquire, of Wichita, State of Kansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

S. S. White Dental Manufacturing Co., Plaintiff in Error,
800 vs.
The Commonwealth of Massachusetts.

Mr. William P. Evarts, in behalf of counsel, submitted to the consideration of the Court a motion to advance this case to be heard with case No. 265, as one case.

The Dakota Cattle Co., Appellant,
214 vs.
The United States and the Sioux Indians

Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Archibald King in behalf of counsel for the appellant, and he having moved the Court to dismiss this appeal. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

215. Catherine Howard, Appellant, vs. The United States and The Sioux Indians. Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Archibald King in behalf of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice White

216. The Keystone Land & Cattle Co., Appellant, vs. The United States and The Sioux Indians. Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Archibald King in behalf of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice White

200 & 201 The Michigan Trust Co., Petitioner. vs. Edward P. Ferry

The argument of these cases was commenced by Mr. Willard S. Keeney, of counsel for the petitioner; continued by Mr. George Sutherland and Mr. Franklin S. Richards, of counsel for the respondent, and concluded by Mr. Charles S. Thomas, of counsel for the petitioner.

204. The Texas & Pacific Railway Co., Plaintiff in Error. vs. Mrs. Amanda Harvey

This case was argued by Mr. F. N. Prendergast, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. S. P. Jones, Mr. Cone Johnson and Mr. James M. Edwards, of counsel for the defendants in error.

205 The Texas & Pacific Railway Co., Plaintiff in Error. vs. Mrs. Mary E. Stewart et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. L. Hall and Mr. F. N. Prendergast, of counsel for the plaintiff in error, and Mr. S. P. Jones, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Monday, March 24th, 1913.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles S. Thomas, it is ordered that William P. Malburn, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hayden Johnson, it is ordered that Thomas H. Patterson and Rice Hooe, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn

Monday, March 24th, 1913. continued.

On motion first made to the Court in this behalf by Mr. William N. Thompson, it is ordered that Charles N. Apt, Esquire, of Iola, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James S. Davenport it is ordered that C. T. Byrd, Esquire, of San Diego, State of California; Jess W. Walls, Esquire, of Wagoner, State of Oklahoma; H. Lowndes Maury, Esquire, of Butte, and Henry L. Myers, Esquire, of Hamilton, State of Montana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. A. Hanson, it is ordered that D. E. O'Flaherty, Esquire, of Richmond, and R. N. Willis, Esquire, of Roanoke, State of Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Addie B. Browne, it is ordered that Benjamin L. Marx, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice

and he was sworn accordingly.

On motion first made to the Court
half by Mr. A. M. Opiso, it is ordere
Gabriel la O, Esquire, of Manila, P
Islands, be admitted to practice as a
and counsellor of this Court, and he
accordingly.

The Fair,
vs. Appellant,
Kohler Die & Specialty Co.

Appeal f
Circuit C
the Unite
for the N

165.

District of Illinois.

This cause came on to be heard o
script of the record from the Circuit
the United States for the Northern D
Illinois, and was argued by counse
consideration whereof. It is now her
adjudged and decreed by this Cour
the decree of the said Circuit Court
cause be, and the same is hereby, af
with costs. It is further ordered tha
cause be, and the same is hereby, rema
to the District Court of the United S
the Northern District of Illinois.

Per Mr. Justice

442. The United States, Plaintiff in Error, vs. William George. In Error to the District Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice McKenna

571. James L. Bradford, Appellant, vs. The United States. On consideration of the motion to advance this cause for submission on printed briefs.

It is now here ordered by the Court that said motion be, and the same is hereby, granted

Per Mr. Chief Justice White

500 S. S. White Dental Manufacturing Co., Plaintiff in Error, vs. Commonwealth of Massachusetts. On consideration of the motion to advance this cause and assign the same for argument with case No. 268 on the docket for the present term, as one case

said motion be, and the same is
ed.

Per Mr. Chief

	The United States et al.,	On co
1012	vs. Appellants,	of the
	The Ohio Oil Co.	adoaue
	The United States et al.,	It is
1013	vs. Appellants,	dered
	Standard Oil Co.	that sa
	The United States et al.,	be, and
1014	vs. Appellants,	is hereb
	Standard Oil Co. of Louisi	and the
	ana.	signed
		on Tues

14th next.

Per Mr. Chief

	Theodore Kharas,	On petition
838.	vs. Petitioner.	certiorari to
	The United States.	States Circui
		Appeals for the

On consideration of the petition
of certiorari herein to the United S
Court of Appeals for the Eighth C
of the argument of counsel thereupon
well in support of as against the sa
now here ordered by this Court tha
petition be, and the same is hereby

Per Mr. Chief J

, hereby, grant-

Justice White

nsideration
notion to
these cases,
ow here or-
by the Court
id motion
the same
y. granted.
eases as-
for argument
day, October

Justice White

for writ of
the United
Court of
Eighth Circuit
for a writ
States Circuit
Circuit, and
had, as
me, It is
the said
denied.
Justice White

1009. The J. F. Rowley Co., Petitioner. vs. E. N. Rowley

On petitions for writ and cross writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petitions for a writ and cross-writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petitions be and the same are hereby, denied.

Per Mr. Chief Justice White.

1010. The Board of County Commissioners of the City and County of Denver, Petitioner vs. The Home Savings Bank

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

571. James L. Bradford, Appellant, vs The United States. This cause was submitted to the consideration of the Court on the record and arguments by Mr. Harvey M. Friedsel for the appellant, and by Mr. Anderson, of counsel for the appellee.

1019 Welch Manufacturing Co., Petitioner, vs Samuel D. Young, Trustee. The petition for a writ of certiorari was submitted to the consideration of the Court on printed statements by Mr. William S. Hodges and Mr. Fred L. Chappell in support of the petition, by Mr. Nathan Heard and Mr. Charles Riordon in opposition thereto.

— Original. Ex parte: In the matter of Charles F. Wilcox, Petitioner. Mr. Charles F. Wilcox submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus in this cause, and to proceed therein in forma pauperis.

1018. Charles G. Dade, Petitioner, vs The United States. The petition for a writ of certiorari was submitted to the consideration

E. Davis in support of the same, and by Mr. Assistant Attorney General Adkins in opposition thereto.

1024 Portland Gold Mining Co. et al., vs. Charles Daniels et al. Petitioners. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles S. Thomas, Mr. W. N. Bryant, Mr. George L. Nye and Mr. William P. Malburn in support of the same, and Mr. Edward C. Stimson in opposition thereto.

304. The Aetna Life Insurance Co., vs. John T. Moore, Administrator etc. Petitioner. On motion of Mr. R. Walton Moore, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, continued per stipulation.

1115. Belle J. Barnes et al., vs. J. L. B. Alexander et ux. Appellants, The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. B. Browne, Mr. Alexander Britton, Mr. Evans Browne, Mr. J. L. B. Alexander and Mr. William M.

port of the motion, and by Mr. Eugene S. Ives, of counsel for the appellants in opposition thereto.

Proclamation being made, the Court is ad-

Pursuant to adjournment, the Court met today,
at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Edward D. White Justices
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this be-
half by Mr. Attorney General McReynolds, it is
ordered that Frank R. Devlin, Esquire, of Valle-
jo, State of California, and Frank P. Walsh, Es-
quire, of Kansas City, State of Missouri, be admit-
ted to practice as attorneys and counsellors
of this Court, and they were sworn accordingly.

On motion first made to the Court in this be-
half by Mr. James A. Fowler, it is ordered
that Saul E. Rogers, Esquire, of New York
City, be admitted to practice as an attorney
and counsellor of this Court, and he was sworn

On motion first made to the Court
by Mr. L. Russell Alden, it is or
Thomas S. Lillepage, Esquire, of W
District of Columbia, be admitted
an attorney and counsellor of this C
was sworn accordingly.

On motion first made to the Court
by Mr. T. J. Walsh, it is ordered th
Wheeler, Esquire, of Butte, State of M
admitted to practice as an attorney
of this Court, and he was sworn acco

On motion first made to the Court
by Mr. Howard Boyd, it is ordered
Reeves Rowdy Bush and J. J. Fosse
quire, of Washington, District of C
T. C. Fenton, Esquire, of Philadelphi
Pennsylvania, be admitted to practic
and counsellors of this Court, and
sworn accordingly.

On motion first made to the Court
by Mr. J. C. Denton, it is ordered th
Westbrooks, Esquire, of Jonesboro,
Kansas, be admitted to practice a
and counsellor of this Court, and he
accordingly.

On motion first made to the Court

mer C. Rhone, Esquire, of Williamsport, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William N. N. Hart, it is ordered that Charles S. Darden, Esquire, of Los Angeles, State of California, and Charles F. Ford, Esquire, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Raker, it is ordered that Seth Millington, Esquire, of Colusa, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. S. Bacon, it is ordered that Thomas W. Pelham, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

60 Anna Sweeney, Plaintiff in Error, vs. William L. Erving. In Error to the Court of Appeals of the District of Col

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Pitney.

97 James Donnelly, Plaintiff in Error, vs. The United States. In Error to the Circuit Court of Appeals for the Ninth Circuit, and the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of Appeals for the Ninth Circuit, and the District Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court of Appeals in this cause and the same is hereby affirmed. It is further

Per Mr. Justice Pitney.

Dissenting:
Mr. Justice Holmes
Mr. Justice Lurton
Mr. Justice Hughes

McLaughlin Bros, a co-partnership (John R. McLaughlin and James B. McLaughlin, Sole Members of the Co-partnership) vs. L. A. Halloweell et al. — In Error to the Supreme Court of the State of Iowa

114. Plaintiffs in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Pitney

William M Coach, Collector of Internal Revenue, vs. Winchell & Schuylkill Haven Railroad Co. — On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

670 Petitioner,

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said

it is hereby remanded to the District Court of the United States for the Eastern District of Louisiana, with instructions to dismiss the libel in this cause, and the same

this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Pennsylvania. 83

Per Mr. Justice Pitney

Dissenting:
Mr. Justice Day
Mr. Justice Hughes
Mr. Justice Lamar.

317 Juan Pico, Plaintiff in Error, vs. The United States. In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Lamar. 167

J. M. Hebert, B. C. Hebert, M. S. Hamshire, L. Hamshire, J. A. Bordages and J. E. Broussard, Appellants, vs. W. J. Crawford, Trustee, and E. J. LeBlanc.

Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Texas for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Lamar

Roscoe Lyle, Appellant, vs. George W. Patterson, T. N. Smith, W. M. Smith et al.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States

...ith, and was argued by counsel. On consideration whereof, It is now here ordered and decreed by this Court that the said United States Circuit Court of Appeals in this cause be, and the same is affirmed with costs; and that this cause and the same is hereby, remanded to the Court of the United States for the District of Iowa.

Per Mr. Justice ...

Mary Eleanor Wilson,
Amelia Maria Wilson,
William Harris Wilson,
John Aquila Wilson, and
Adelaide Bury Brown,
Plaintiffs in Error,
vs.
Chester A. Snow.

In Error to the Court of Appeals of the District of Columbia.

1873.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice ...

176 George N. Fuller Co., vs. Wilson N. McCloskey, Plaintiff in Error. In Error to the Court of Appeals of the District of Columbia

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes

117 Santa Fe, Prescott & Phoenix Railway Co., a corporation, and National Surety Co., vs. Grant Brothers Construction Co., Plaintiffs in Error. In Error to the Supreme Court of the Territory of Arizona

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the

Court of the State of Arizona, for such
proceedings as may not be inconsi
the opinion of this Court.

Per Mr. Justice

Clarence S. Houghton, as Receiver in Bankruptcy of the Assets and Effects of Abram L. Canfield, Bankrupt, Appellant, vs. William N. Burden

Appea
United
suit C
peals
Secon

341.

This cause came on to be heard on
script of the record from the United
Circuit Court of Appeals for the Se
cuit, and was argued by counsel. O
ation whereof, It is now here order
and decreed by this Court that the
the said United States Circuit Cour
peals in this cause be, and the same
by, affirmed with costs; and that th
be, and the same is hereby, remanded
District Court of the United States
Southern District of New York.

Per Mr. Justice

Dissenting:
Mr. Justice Pitney

162. Gulf, Colorado & Santa Fe Railway Co., Plaintiff in Error, vs. Mary J. McGinnis, Administratrix of the Estate of W. J. McGinnis, deceased. In Error to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Civil Appeals for further proceedings consistent with the opinion of this Court.

Per Mr. Justice Lurton

68 Manley Ettor and Mary J. Ettor, his wife, vs. City of Tacoma and Chicago Milwaukee & St. Paul Railway Co., Plaintiffs in Error, In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court

by counsel. On consideration whereof it is here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice

69. Edwin Howard and Emma Howard, his wife. vs. City of Tacoma and Chicago, Milwaukee & St Paul Railway Co. — In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice

The United States.
198 vs. Appellant, Appeals from the
The Reading Co. et al. Circuit Court of
The Temple Iron Co., the United States
206 vs. Appellant, for the Eastern
The United States. District of Penn-
The Reading Co. et al.. sylvania.
217. vs. Appellants,
The United States

This cause came on again to be heard upon five several petitions filed by the Pennsylvania Coal Company, The Elk Hill Coal & Iron Company, The New York, Susquehanna and Western Coal Company, Hillside Coal & Iron Company, and the Delaware, Lackawanna & Western Railroad Company, parties to the cause as alleged holders of sixty five per cent. coal contracts, praying that the direction in the opinion heretofore filed that the cause should be remanded with direction to enter a decree cancelling each and every of the sixty five per cent. contracts referred to in the pleadings held by any of the parties to the cause, and for a modification of the mandate so as to exclude from cancellation the five several contracts described and referred to in the said five separate petitions.

And it appearing that the United States, by its Attorney General, has answered the several

Pennsylvania Coal Company assents to the petition and consents that such modification be made as to dismiss the bill in so far as it is thereby sought to cancel the contract between the Pennsylvania Coal Company and the Elk Hill Coal & Iron Company of March 1, 1902, referred to in the petition of the Pennsylvania Coal Company, upon the concession that the agreement "is substantially different from the series of agreements known as the sixty-five per cent. contracts adjudged unlawful by this court," it is accordingly so ordered.

As to the application of the four other petitioners named above for like relief, the United States denies and contests the right of each, contending that in substance and principle the facts in respect of each of the contracts in respect of which relief is sought, are not similar to the contract between the Pennsylvania Coal Company and the Elk Hill Coal & Iron Company, but fall within the general series of the sixty-five per cent. contracts condemned by the judgment of this Court.

Upon this issue the transcript is confusing and the briefs inadequate. The court therefore deems it wise in the exercise of its judgment to decline any determination of the question upon the present record. It is therefore ordered that the mandate of this Court be so modified as to exclude from the direction to

ferred to in the pleadings the said contracts mentioned in the four petitions, namely, that of the Elk Hill Coal & Iron Company, the New York, Susquehanna, & Western Coal Co., Hillside Coal & Iron Company, and the Delaware, Lackawanna & Western Railroad Company, and that the cause, so far as concerns the contracts of the said petitioners, be remanded to the District Court with direction to hear and determine the merits as presented by said petitioners, and make such decree as law and justice require.

Per Mr. Justice Lurton.

(Mr Justice Day, Mr. Justice Hughes and Mr. Justice Pitney did not participate in the original case, nor in the making of this order.)

112. George McDermott, Plaintiff in Error. vs. The State of Wisconsin. In Error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said

inconsistent with the opinion of this Court.

Per Mr. Justice Day.

113 T. N. Grady, Plaintiff in Error, vs. The State of Wisconsin — In Error to the Supreme Court of the State of Wisconsin

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Day.

163 Henry L. Bogert, Townsend Lawrence and Anita Lawrence, as Executors of the last will and testament of Walter B. Lawrence, deceased, Appellants, vs. The Southern Pacific Co., et al. — Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of

New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of New York.

Per Mr. Justice Day.

192.— Catherine M. S. Frosch, Ida L. Monday, Emma A. Schwab et al., Appellants, vs. William Waller. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to enter a decree affirming the decree of the Supreme Court of the District of Columbia entered in this cause January 24, 1913.

Per Mr. Justice Holmes.

647 The United States of America. Plaintiff in Error, vs. Pacific & Arctic Railway & Navigation Company, Pacific Coast Steamship Co., Alaska Steamship Co., Canadian Pacific Railroad Co., et al. — In Error to the District Court of the United States for Alaska, Division No. 1.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Alaska, Division No. 1, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause as to counts Nos. 1 and 2 of the indictment be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to proceed in conformity with the opinion of this Court.

Per Mr. Justice McKenna.

181 Metropolis Theatre Co. et al., vs. The City of Chicago and Ernest J. Magnuson, Plaintiffs in Error — In Error to the Supreme Court of the State of Illinois

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On con-

judged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice McKenna

1913. Chicago, Burlington & Quincy Railroad Co., Plaintiff in Error, vs. Wilbur S. Crum. In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby, affirmed with costs.

per Mr. Justice McKenna

1911. Chicago, Burlington & Quincy Railroad Co., Plaintiff in Error, vs. James M. Kyle. In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme

hereby, affirmed with costs.

Per Mr. Justice McKenna

156 William G. Stested and Charles Beuchat, vs. Samuel A. Abbey and John J. Lambert. Appellants, Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs; It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Colorado.

Per Mr. Chief Justice White

155 Henry Friend, Solomon G. Moss and Henry Morris, vs. James Talcott. Petitioners. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh

consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois.

Per Mr. Chief Justice Waite.

705. The United States, Plaintiffs in Error vs. O. T. Anderson. } On Error to the District Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be and the same is hereby, remanded to the said District Court for further proceedings in conformity with law.

Per Mr. Chief Justice Waite.

Ex parte: In the matter of Charles F. Wilcox. Petitioner
Original

On consideration of the motion for leave to file a petition for a writ of mandamus herein and for leave to proceed in forma pauperis, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

1115. Charles G. Dade, Petitioner
vs.
The United States

On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein, to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1119. Welch Manufacturing Co., Petitioner,
vs.
Samuel D. Young, Trustee

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and

well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

The Portland Gold Mining Co., The Golden Cycle Mining Co., and Stratton's Independence, Limited,
1024. vs. Petitioners,
Charles Daniels et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

Belle J. Barnes et al.,
445. vs. Appellants,
J. L. B. Alexander et al.

It is ordered by the Court that this cause be placed on the summary docket.

per Mr. Chief Justice White

649. The United States. Petitioner. vs. Twenty five Packages of Panama Hats, etc. — Mr. Assistant to the Attorney General Fowler, of counsel for the petitioner, submitted to the consideration of the Court a motion to advance this cause.

677. The Delaware, Lackawanna & Western Railroad Co., Plaintiff in Error, vs. The United States of America — Mr. Assistant to the Attorney General Fowler, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

7, Original. The State of Arkansas, Complainant, vs. The State of Tennessee. — On motion of Mr. James H. Fowler, in behalf of Mr. Charles T. Bates, Jr., of counsel for the defendant, leave is hereby granted to file answer and cross bill in this cause.

1027. Jacob Salsburg, Petitioner vs. George A. Blackford, Trustee, etc. — The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Andrew Jackson Montague in support of the

1044. Emma Jane Kirkpatrick
Petitioner
vs.
Harriet Elizabeth McBride

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles L. Frailey in behalf of Mr. Charles N. Burr in support of the same, and by Mr. William B. Sanders and Mr. Henry M. Russell in opposition thereto.

107. The United States of America ex rel. A. Goldberg,
Plaintiff in Error,
vs.
George von L. Meyer, Secretary of the Navy.

Mr Charles Cox, of counsel for the plaintiff in error, suggested the resignation of George von L. Meyer and the appointment of Josephus Daniels as his successor in office as Secretary of the Navy, and moved the Court to make the said Josephus Daniels as Secretary of the Navy, the party defendant in error in this cause, Whereupon, It is now here ordered by the Court that the said Josephus Daniels, Secretary of the Navy, be and he is hereby, made the party defendant in error in this cause.

8, Original. The State of Wyoming.
Complainant,
vs.
The State of Colorado et al.

On motion of Mr. Joseph W. Cox in behalf of Mr. Douglas A. Preston, of

granted to file replications to answers in this cause.

Ex parte: In the matter of J. Harry Spencer, Petitioner
Original
Ex parte: In the matter of Albert L. Scholl, Petitioner.
Original.
Ex parte: In the matter of Frank L. Moyer, Petitioner.
Original

Mr. W. N. Spencer and Mr. M. C. Rhone, of counsel for the petitioners, submitted to the consideration of the Court motions for leave to file petitions for writs of habeas corpus in these cases.

1005. The Bunker Hill & Sullivan Mining & Concentrating Co. vs. Petitioner, Thomas Williams

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William R. Harr in behalf of Mr. Myron A. Folsom in support of the same, and by Mr. N. Lounder Maury in opposition thereto.

Oscar W. White, Plaintiff
Original. vs.
Don Enrique Borja.

On motion of Mr John Ridout, of counsel for the plaintiff, leave is hereby granted to withdraw the motion for leave to file the declaration herein.

451. Bauer & Cie., et al. vs. James O'Donnell — On motion of Mr. Thomas N. Pelham, of counsel for the Gillette Safety Razor Co., leave is hereby granted to file a brief herein in behalf as amicus curiae.

1004. Warner N. Grider et al. vs. Minnie C. Groff et al. — Petitioners. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Evans Browne, Mr. A. B. Browne, Mr. Alexander Brillon, Mr. Frank Doster and Mr. Hunter M. Merriweather in support of the same.

487. Old Dominion Copper Mining & Smelting Co. vs. Frederick Swarsohn et al., Executors, &c. — Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward F. McClennen and Mr. Louis D. Brandeis in support of the same, and by Mr. Eugene Treadwell and Mr. Edward Lauterbach in opposition thereto

Monday, April 7th. 1913, continued

974	The National City Bank of New York, vs. Appellant, Henry D. Hotchkiss, Trustee &c.	Mr. Frederick S. Tyler in behalf of Mr. Abram J. Elkus, of counsel for Hotchkiss, Trustee, submitted to the consideration of the Court a motion to ad-
975.	Henry D. Hotchkiss, Trustee, &c. vs. Appellant, The National City Bank of New York.	vance this cause.
Original	The State of Wisconsin, Complainant, vs. Franklin K. Lane, Secretary of the Interior.	Mr. Moses Hooper, in behalf of counsel for the complainant, submitted to the consideration of the Court a motion for leave to file the bill of complaint in this cause
1023.	William B. Strang, Petitioner, vs. J. A. Edson.	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Juslin D. Bowersock in support of the same, and by Mr. Samuel W. Moore in opposition thereto.

857. St. Louis, San Francisco & Texas Railway Co., vs. Plaintiff in Error, Maude Seale et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Judson N. Wood and Mr. James P. Haven, of counsel for the defendants in error, in support of the motion, and by Mr. Cecil N. Smith, of counsel for the plaintiff in error, in opposition thereto.

250. The Guardian Assurance Co., of London Limited, vs. Plaintiff in Error, Domingo Fuentes. in Error to the District Court of the United States for Porto Rico.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

1007. Bunyan Lucas, Appellant. vs. Robert Lee Lucas and John E. Harris, as Executors of the last will and testament of John W. Hunt, deceased, et al. Appeal from the District Court of the United States for the Southern District of California.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed. Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

923. Frank Quinn et al., vs. The United States. On motion of Mr. Assistant to the Attorney General Fowler, of counsel for The United States, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Tuesday, October 14 next, after the cases heretofore assigned for that day.

875. The United States, Plaintiff in Error, vs. John A. Davis et al. On motion of Mr. Assistant to the Attorney General Fowler, of counsel for the plaintiff in error, It is ordered by

is hereby, re assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

655. Chicago & Northwestern Railway Co., vs. Plaintiff in Error, Hugh Rowlands. In Error to the Supreme Court of the State of Wisconsin.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed without costs to either party.

per Mr. Chief Justice White.

652. The United States of America, vs. Plaintiff in Error, The Adams Express Co. This cause was argued by Mr. Assistant Attorney General Denison, of counsel for the plaintiff in error, and Mr. Joseph B. Graydon, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Tuesday, April 8th. 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. George E. Chamberlain, it is ordered that William C. Bristol, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. Lawson, it is ordered that Charles E. Duffy, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. K. N. Terrell, it is ordered that Thomas A. Church, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Nilz, it is ordered that Harry D. Nims, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Kern, it is ordered that John W. Kealing, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

783 The United States, Plaintiff in Error
vs.
The Chandler-Dunbar Water Power Co., et al.

784 The Chandler-Dunbar Water Power Co., Plaintiff in Error,
vs.
The United States
St. Mary's Power Co.

The argument of this cause was commenced by Mr. Assistant to the Attorney General Fowler, of counsel for The United States; continued by

Tuesday, April 8th. 1913. continued

	The United States. Clarence M. Brown, sole receiver, etc.,	of counsel for the Chandler-Dunbar Water Power Co., and concluded by
186	vs. Plaintiff in Error.	Mr. Assistant to
	The United States	the Attorney General

Fowler, of counsel for The United States, and the case was submitted on a printed argument by Mr. William L. Carpenter, of counsel for the St. Mary's Power Co.

	The United States,	The argument of
536.	vs. Appellant,	this case was
	The Mille Lac Band of	commenced by
	Chippewa Indians in	Mr. Assistant At-
	the State of Minnesota	torney General
		Watkins, of counsel

for the appellant.—

Proclamation being made, the Court is adjourned

Wednesday, April 9th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Lee S. Overman, it is ordered that F. P. Hobgood, Jr., Esquire, of Greensboro, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

736. The United States, Appellant, vs. The Mille Lac Band of Chippewa Indians in the State of Minnesota

The argument of this cause was continued by Mr. George B. Edgerton and Mr. F. W. Houghton, of coun-

George M. Anderson, of counsel for the appellant. The cause was submitted on a printed argument by Mr. C. E. Richardson, of counsel for the appellee.

9444. Charles N. Swigart et al., Appellants, vs. D. P. Baker. The argument of this cause was commenced by Mr. Assistant Attorney General Knaebel, of counsel for the appellants, and continued by Mr. W. T. Dovell, of counsel for the appellee, and Mr. Assistant Attorney General Knaebel, of counsel for the appellants.

Proclamation being made, the Court is adjourned

Thursday, April 10th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. T. Dovell, it is ordered that Richard Stevens Eskridge, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Chilton, it is ordered that Samuel T. Spears, Esquire, of Elkins, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Horace Pettit, it is ordered that Frederick A. Blount, Esquire, of Philadelphia, State of Pennsylvania, and Charles F. Willard, Esquire, of Camden, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

951. Bauer & Cie., et al. vs. James O'Donnell — On motion of Mr. Nathan Matthews in that behalf, leave is hereby granted to file a brief in this cause for The Waltham Watch Company as amicus curiae.

944. Charles N. Swigart et al., Appellants, vs. D. P. Baker. — The argument of this cause was concluded by Mr. Assistant Attorney General Knaebel, of counsel for the appellants.

951. Bauer & Cie., et al., vs. James O'Donnell — This cause was argued by Mr. Edwin J. Prindle, of counsel for Bauer & Cie. et al., and by Mr. D. W. Baker, of counsel for James O'Donnell.

Omaha Electric Light & Power Co.,
162. vs. Appellant,
The City of Omaha et al.
Old Colony Trust Co.,
754. vs. Appellant,
The City of Omaha.

The reargument of these cases was commenced by Mr. Edgar N. Scott, of counsel for the appellant in No. 162, and continued by Mr. William C. Lambert and Mr. Benjamin S. Baker, of counsel for the appellees, and by Mr. William D. McHugh, of counsel for the appellant in No. 754.

Proclamation being made, the Court is ad-

Friday, April 11th. 1913.

Pursuant to adjournment, the Court met today, at the Capitol.

(Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright Esquire, Marshal
James H. McKinney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Hollis R. Bailey, it is ordered that James Butler Bradley, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William R. Green, it is ordered that Frank C. Richardson, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. J. Fox, it is ordered that Robert A. Stolz, Esquire, of Easton, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Mr. Donald Meachum, Esquire, of Houston, and W. T. Bartholomew, Esquire, of Fort Worth, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

8, Original. The State of Wyoming, Complainant, vs. The State of Colorado et al. On motion of Mr. Duane E. Fox in their behalf, leave is hereby granted Mr. Charles D. Hayt and Mr. Clyde C. Dawson to withdraw their appearance for the defendants in this cause.

162. Omaha Electric Light & Power Co., Appellant, vs. The City of Omaha et al.

754. Old Colony Trust Co., Appellant, vs. The City of Omaha.

The reargument of these cases was concluded by Mr. William D. McHugh, of counsel for the appellant in No.

Friday, April 11th, 1913, continued.

Big Vein Coal Co. of West Virginia.
501 vs. Plaintiff in Error.
Benjamin N. Read.

This cause was argued by Mr. Osborne J. Yellott, of counsel for the plaintiff in error, and by Mr. William L. Rawls and Mr. Fraux Gosnell, of counsel for the defendants in error.

The United States.
863 vs. Plaintiff in Error.
Arnulfo Chavez alias Arnulo Chavez.
The United States.
864 vs. Plaintiff in Error.
Jose Mesa.

These cases were argued by Mr. Assistant Attorney General Adkins, of counsel for the plaintiff in error. No appearance was entered for the defendants in error.

The United States,
915 vs. Plaintiff in Error.
Bob Wright.

This cause was argued by Mr. Assistant Attorney General Denison, of counsel for the plaintiff in error, and by Mr. James C. Denton, of counsel for the defendant in error.

The United States,
943 vs Plaintiff in Error.
Alfred Shelley

This cause was argued by Mr. Assistant Attorney General Harr, of counsel for the plaintiff in error, and by Mr. Robert M. Moore, of counsel for the defendant

715. Harry K. Johnson, Plaintiff in Error. vs. The United States. This cause was argued by Mr. Edward J. Fox, of counsel for the plaintiff in error, and by Mr. Assistant Attorney General Harr, of counsel for the defendant in error.

911. The United States ex rel. Sali Zimmerspitz, Appellant. vs. R. L. Pierce et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Benjamin C. Bachrach, of counsel for the appellant, and by Mr. Assistant Attorney General Harr, of counsel for the appellees.

Proclamation being made, the Court is adjourned

Monday, April 14th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. J. Darlington, it is ordered that John W. Jennings, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Scott Ferris, it is ordered that Roscoe C. Arrington and Edgar E. Hood, Esquires, of Shawnee, State of Oklahoma, be admitted to practice as attorneys and counsellors of this Court, and they were sworn

On motion first made to the Court in this behalf by Mr. Julius Kahn, it is ordered that William N. Rogers, Esquire of San Jose, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank H. Short, it is ordered that Raleigh E. Rhodes, Esquire, of Madera, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Glasgow, Jr., it is ordered that Chester N. Farr, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. S. Pepper, it is ordered that Jerry B. Sullivan, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

177 Sy Joc Liong, Si Joc Chay, Sy Jui Niu, and C. W. O'Brien, as Guardian for Sien Han, Appellants and Plaintiffs in Error, vs. Gregorio Sy Quia et al. — Appeal from and In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, on appeal and writ of error, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs. It is further ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Van Devanter

183. C. H. Rexford, Petitioner, vs. The Brunswick-Balke-Collender Co. — On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof,

by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of North Carolina with directions to proceed to a final disposition of the cause in regular course.

Per Mr. Justice Van Devanter.

Consolidated Turnpike Co., Arthur W. Depue, and Walter N. Taylor,		In Error to the Supreme Court of Appeals of the State of Virginia.
152.	vs. Plaintiffs in Error.	
Norfolk & Ocean View Railway Co.		

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Lurton.

The Texas & Pacific Railway Co.,		In Error to the United States Circuit Court of Appeals for the Fifth Circuit.
204.	vs. Plaintiff in Error.	
Mrs. Amanda Harvey		

receipt of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Texas.

Per Mr. Justice Day.

Josephine P. McGowan, Executrix of Jonas N. McGowan, deceased, and Elijah V. Brookshire.

vs.

1068 Emily E. Parish, Executrix of Joseph W. Parish, deceased.

On consideration of the petition of the above named Josephine P. McGowan, Executrix of Jonas N. McGowan deceased, and Elijah V. Brookshire for the allowance of an appeal to this Court from the Court of Appeals of the District of Columbia in the above entitled cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said appeal be, and the same is hereby granted, to operate as a supersedeas on giving bond in the sum of Three thousand dollars.

Per Mr Chief Justice White

Ex parte: In the matter of J. Harry Spencer, Petitioner. Original. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

Ex parte: In the matter of J. Harry Spencer, Petitioner. Original. On consideration of the petition for a writ of habeas corpus herein, It is now here ordered by the Court that cause be shown by Robert J. McKenty, Warden of the Eastern Penitentiary of the State of Pennsylvania, at Philadelphia, Pennsylvania, before this Court, at the City of Washington, on Monday, April 28th, 1913, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice White

Ex parte: In the matter of Albert L. Scholl, Petitioner, Original. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein. It is now here ordered by the Court that the said motion be, and

Ex parte: In the matter of Albert L. Scholl. Original. Petitioner. On consideration of the petition for a writ of habeas corpus herein, It is now here ordered by the Court that cause be shown by Robert J. McKenty, Warden of the Eastern Penitentiary of the State of Pennsylvania, at Philadelphia Pennsylvania, before this Court, at the City of Washington on Monday, April 28th. 1913, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice White

Ex parte: In the matter of Frank L. Moyer. Original. Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be and the same is hereby granted.

Per Mr. Chief Justice White

Ex parte: In the matter of Frank L. Moyer. Original. Petitioner. On consideration of the petition for a writ of habeas corpus herein, It is now here ordered by the Court that cause be shown by Robert J. McKenty, Warden of the Eastern Penitentiary of the State of Pennsylvania, at

the City of Washington, on Monday, April 28th 1913, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice White.

Original. The State of Wisconsin, Complainant vs. Franklin K. Lane, Secretary of the Interior. On consideration of the motion of the complainant for leave to file a bill in equity herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that process issue thereon returnable on the first day of the next term.

Per Mr. Chief Justice White.

649. The United States. Petitioner. vs. Twenty-five Packages of Panama Hats, etc. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 14th next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice White.

677. The Delaware, Lackawanna & Western Railroad Co., Plaintiff in Error vs. The United States of America. On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

974 The National City Bank of New York, Appellant, vs. Henry D. Hotchkiss, Trustee &c.

975 Henry D. Hotchkiss, Trustee, &c. Appellant, vs. The National City Bank of New York.

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

1004. Warner U. Grider and West Missouri Land Co., Petitioner, vs. Minnie C. Groff et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1005. The Bunker Hill & Sullivan Mining & Concentrating Co., Petitioner. vs. Thomas Williams

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1023. William B. Strang. Petitioner. vs. J. A. Edson

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit

of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1027 Jacob Salsburg, Petitioner. vs. George A. Blackford, Trustee in bankruptcy of Herman Schoenfield, bankrupt. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1044 Emma Jane Kirkpatrick, Petitioner. vs. Harriet Elizabeth McBride On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said

petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

St. Louis, San Francisco & Texas Railway Co., Plaintiff in Error
vs.
937 Maude Beale et al.

It is ordered by the Court that this cause be placed on the summary docket.

per Mr. Chief Justice White.

Strallonis Independence, Limited
vs.
971 F. W. Howbert, Collector, &c.

Mr. Assistant to the Attorney General Fowler, of counsel for Howbert, Collector, submitted to the consideration of the Court a motion to advance this cause.

The United States, Petitioner.
vs.
983 F. W. Whitridge, Receiver, etc.

The United States, Petitioner.
vs.
984 A. N. Jolnic, et al., etc.

Mr. Assistant to the Attorney General Fowler, of counsel for the Petitioner, submitted to the consideration of the Court a motion to advance these cases.

1053	The United States et al., vs. Appellants, The Prairie Oil & Gas Co.	Mr. Assistant to the Attorney General Fowler, of counsel for The United States, submitted to the consideration of the Court a motion to advance these causes
1054	The United States et al., vs. Appellants, The Uncle Sam Oil Co.	
1055.	The United States et al., vs. Appellants, Robert D. Benson et al.	
1046.	The United States. vs Petitioner. James B. Regan.	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Assistant to the Attorney General Fowler, Mr. Attorney General McReynolds, and Mr. Assistant Attorney General Harr in support of the same, and by Mr. Max D. Steuer, in opposition thereto.
1041.	Supreme Council of the Royal Arcanum, et al., vs. Plaintiffs in Error, Samuel Green.	The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. F. J. Moissen, of counsel for the defendant in error, in support of the motion, and by Mr Howard C. Wiggins, of counsel for the plaintiffs in error, in opposition thereto.

1031. John B Gleason, Petitioner. vs. Harry K. Shaw. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. John B. Gleason for the

1032. William Cramp & Sons Ship & Engine Building Co., Petitioner vs. International Curtis Marine Turbine Co., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James R. Sheffield, Mr. Clifton V. Edwards, and Mr. Samuel Dickson in support of the same, and by Mr. Frederick P. Fish and Mr. R. N. Dyer in opposition thereto.

197. John Fletcher, Appellant, vs. C. T. Elliott as United States Marshal in and for the Northern District of California. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause having been called to the attention of the Court by Mr. Henry F. Woodard, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that

missed with costs. It is further ordered that this cause be and the same is hereby, remanded to the District Court of the United States for the Northern District of California

per Mr. Chief Justice White

1039. A. M. Winters vs. The United States. Petitioner.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. E. F. Colladay in behalf of Mr. Carr W. Taylor, in support of the same, and leave was granted Mr. Assistant to the Attorney General Fowler to file a brief in opposition thereto within two days.

1011 William T. Kettenbach et al., vs. The United States. Petitioners.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Evans Browne, Mr. A. B. Browne and Mr. Alexander Britton in support of the same and by Mr. Assistant Attorney General Adkins and Mr. Peyton Gordon in opposition thereto.

1020 Gay Ola Co., vs. Coca Cola Co. Petitioner

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick S. Tyler in

Harold Hirsch in opposition thereto.

Austro-American Steamship Co., Limited
vs. Petitioner.
Peter Ramjak.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause having been called to the attention of the Court by Mr. Edgar H. Farrar, of counsel for the petitioner, and he having moved the Court to dismiss the petition for a writ of certiorari herein, Therefore, in pursuance of said motion, It is now here ordered by this Court that the said petition be, and the same is hereby, dismissed.

Per Mr. Chief Justice White

Bauer & Cie., et al.,
vs.
James O'Donnell.

Mr. Harry D. Nims of counsel for the Ingersoll Watch Co., moved the Court for leave to file a brief herein as amicus curiae, which was opposed by Mr. E. J. Priddle, of counsel for Bauer & Cie., et al. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

205. The Chicago, Rock Island & Pacific Railway Co. et al., Plaintiffs in Error, vs. Albert M. Dowell.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. F. C. Dillard and Mr. Paul E. Walker, of counsel for the plaintiffs in error, and by Mr. David Smyth, Mr. J. D. Houston and Mr. F. L. Macy, of counsel for the defendant in error.

844 J. Butler Studley, Trustee, &c., Appellant, vs. The Boylston National Bank of Boston.

This cause was argued by Mr. J. Butler Studley, of counsel for the appellant and by Mr. Hollis R. Bailey, of counsel for the appellee.

15. Original. Ex parte: In the matter of William J. Dante, Collector of the estate of Stilson Hutchins, Petitioner.

This cause was argued by Mr. Edwin C. Brandenburg, of counsel for the petitioner, and by Mr. Wharton E. Lester and Mr. M. J. Colbert, of counsel for the respondents.

National Safe Deposit, Savings & Trust Co. of the District of Columbia.
74. vs Plaintiff in Error,
William B. Hibbs

The argument of this cause was commenced by Mr. Charles L. Fraley, of counsel for the plaintiff in error and continued by Mr. W. C. Sullivan and Mr. J. J. Darlington, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Tuesday, April 15th. 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. E. E. Roberts, it is ordered that Edna Covert Plummer, of Mineral Hill, State of Nevada, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry M. Goldfogle, it is ordered that Joseph D. Edelson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

457. Bauer & Cie., et al., vs. James O'Donnell. On motion of Mr. Horace Stillé, of counsel for the Victor Talking Machine Co., leave is hereby granted to file a brief herein in that behalf as amicus curiae.

226. The Richmond, Fredericksburg & Potomac Railroad Co., Plaintiff in Error, vs. The Commonwealth of Virginia. It is ordered by the Court that this cause be, and the same is hereby, continued, per stipulation of counsel.

79. National Safe Deposit, Savings & Trust Co. of the District of Columbia, Plaintiff in Error, vs. William B. Hibbs. The argument of this cause was continued by Mr. J. J. Darlington, of counsel for the defendant in error, and concluded by Mr. Charles L. Frailey, of counsel for the plaintiff in error.

202. Edward B. Jordan, Collector, &c., vs. James W. Roche.

203. Edward B. Jordan, Collector, &c., vs.

These cases were argued by Mr. Assistant Attorney General Harr, of counsel for Jordan, Collector, &c., and by Mr. John David Lannon, of

Rose et al.

207. Morrisdale Coal Co., Appellant, vs. Pennsylvania Railroad Co. This cause was argued by Mr. William A. Glasgow, Jr., of counsel for the appellant, and by Mr. John G. Johnson, of counsel for the appellee.

211. Texas & Pacific Railway Co., Plaintiff in Error, vs. C. C. Prater. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. L. Hall of counsel for the plaintiff in error, and by Mr. A. W. Gregg, of counsel for the defendant in error, and by the defendant in error pro se.

212. Dowagiac Manufacturing Co., Petitioner, vs. Minnesota Moline Plow Co. et al.

213. Dowagiac Manufacturing Co., Petitioner, vs. Ernest F. Emich et al.

The argument of these cases was commenced by Mr. Fred L. Chappell, of counsel for the petitioner

Proclamation being made, the Court is ad-

Wednesday, April 16th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Frank B. Braudegee and Charles B. Whittlesey, Esquires, of New London, State of Connecticut, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Kennedy, it is ordered that Charles W. Comstock, Esquire, of Norwich, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and

207. Morrisdale Coal Co., vs. Appellant, Pennsylvania Railroad Co. — On motion of Mr. William A. Glasgow, Jr., of counsel for the appellant, leave is hereby granted to file an additional brief for the appellant within ten days.

212. Dowagiac Manufacturing Co., vs. Petitioner. Minnesota Moline Plow Co. et al
213. Dowagiac Manufacturing Co., vs. Petitioner. Ernest F. Smith et al. — The argument of these cases was continued by Mr. Fred L. Chappell, of counsel for the petitioner, and by Mr. Thomas A. Banning, of counsel for the respondents, and concluded by Mr. Fred L. Chappell, of counsel for the petitioner.

215. Mary E. Nalle, vs. Plaintiff in Error, James F. Oyster et al. — This cause was submitted to the consideration of the Court on the record and printed arguments by John C. Gillinge and Mr. Justin Morrill Chamberlin, of counsel for the plaintiff in error, and by Mr. Clarence R. Wilson and Mr. Reginald S. Hudelson, of counsel for the defendants in error.

George Lemist Clarke.
Trustee, &c.,
221. vs. Appellant.
Henry M. Rogers, Trustee &c.,

The argument of this cause was commenced by Mr Felix Rackemann, of counsel for the appellant, and continued by Mr Melvin M. Johnson, of counsel for the appellee.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Thursday, April 17th. 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. R. Floyd Clarke, it is ordered that Aaron A. Melniker, Esquire, of Bayonne, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that John D. Rhoades, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Swager Shirley, it is ordered that James Campbell, Jr., Esquire, of Paducah, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. B. Harrison, it is ordered that Benjamin Irving Taylor, Esquire, of Harrison, and De Witt N. Lyon, Esquire, of Port Chester, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

George Lemuel Clarke, Trustee, &c., Appellant,
221. vs.
Henry M. Rogers, Trustee, &c.

The argument of this cause was continued by Mr. Melvin M. Johnson, of counsel for the appellee, and concluded by Mr. Felix Rackemann, of counsel for the appellant.

Atlantic Coast Line Railroad Co., Plaintiff in Error,
222. vs.
The State of Georgia

This cause was argued by Mr. Henry L. Stone, of counsel for the plaintiff in error, and by Mr. Thomas S. Felder, of counsel for the defendant in error.

Thursday, April 17th, 1913, continued

223. Marion A. Morse, Plaintiff in Error, vs. Sidney A. Brown, Sheriff, etc. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. W. Comstock and Mr. Donald G. Perkins, of counsel for the plaintiff in error, and by Mr. Charles B. Whittlesey, of counsel for the defendant in error.

224. Madera Water Works, Appellant, vs. City of Madera et al. The argument of this cause was commenced by Mr. Frank N. Short, of counsel for the appellant, and continued by Mr. Raleigh E. Rhodes, of counsel for the appellees.

Proclamation being made, the Court is adjourned

Friday, April 18th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph J. Russell, it is ordered that John T. Wayland, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. Hilton Jackson, it is ordered that Thomas J. Windfield, Esquire, of Birmingham, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

238. S. D. Harper, Plaintiff in Error, vs. Grant Victor, United States Marshal, etc. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr James S. Davenport, of counsel for the plaintiff in error, and by Mr. Assistant Attorney General Hastings of counsel for the defendant in error, and leave was granted counsel for the plaintiff in error to file an additional brief within ten days.

245 Charles E. Barrett, Plaintiff in Error, vs. The State of Indiana This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John C. Chaney and Mr. Charles E. Barrett, of counsel for the plaintiff in error, and by Mr. Thomas M. Honan, of counsel for the defendant in error.

229. Madera Water Works, Appellant, vs. City of Madera et al. The argument of this cause was continued by Mr. Raleigh E. Rhodes, of counsel for the appellees, and concluded by Mr. Frank H. Short, of counsel for the appellant

230. Chicago, Rock Island & Pacific Railway Co., Plaintiff in Error, vs. Thomas W. Brown.

This cause was argued by Mr. M. L. Bell, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. James C. McShane, of counsel for the defendant in error.

232. Paul Charlton, etc., Appellant, vs. James J. Kelly, Sheriff, etc., et al.

This cause was argued by Mr. R. Floyd Clarke, of counsel for the appellant, and by Mr. Pierre P. Garvin, of counsel for the appellees.

Proclamation being made, the Court is ad-

Monday, April 21st, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John C. Spooner, it is ordered that G. Murray Hulbert and Louis O. Van Doren, Esquires, of New York City, and Marcus A. Jacobson, Esquire, of Waukesha, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General McReynolds, it is ordered that Oliver Perry Sledger and Charles Stewart, Esquires, of San Francisco, State of Cali-

counsellors of this Court, and they were sworn ac-
ordingly.

On motion first made to the Court in this behalf
by Mr. Frederic D. McKenney, it is ordered that
Martin Herbert Kennedy, Esquire, of Denver, State
of Colorado, be admitted to practice as an attorney
and counsellor of this Court, and he was sworn ac-
ordingly.

On motion first made to the Court in this behalf by Mr. James B. Archer, it is ordered that N. A.
Tyler, Esquire, of Williamsport, State of Pennsyl-
vania, be admitted to practice as an attorney
and counsellor of this Court, and he was sworn
accordingly.

On motion first made to the Court in this be-
half by Mr. John A. Garver, it is ordered that
Charles A. Riegelman, Esquire, of New York City,
be admitted to practice as an attorney and
counsellor of this Court, and he was sworn ac-
ordingly.

On motion first made to the Court in this be-
half by Mr. A. A. Hoehling, Jr., it is ordered that
Charles R. Lowers, Esquire, of San Francisco,
State of California, be admitted to practice as
an attorney and counsellor of this Court, and he
was sworn accordingly

On motion first made to the Court in this behalf by Mr. E. Clinton Rhoads, it is ordered that Thomas O. Peirce, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Merrill Bishop, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Jesse C. Hastings, it is ordered that Oscar A. Lewis, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. N. Ralston, it is ordered that O. K. Cushing, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Lillian T. Slocum, Executrix of the last will and testament of Alexander W. Slocum, deceased, Petitioner. vs. New York Life Insurance Co.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

No. 20.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgments of the said United States Circuit Court of Appeals and of the Circuit Court of the United States for the Western District of Pennsylvania in this cause be, and the same are hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Pennsylvania with directions to grant a new trial.

Per Mr. Justice Van Devanter.

Dissenting:
Mr. Justice Hughes
Mr. Justice Holmes
Mr. Justice Lurton
Mr. Justice Pitney.

205 The Texas & Pacific Railway Co., Plaintiff in Error, vs. Mrs. Mary E. Stewart, Frederic T. Mayer, Mrs. Christine R. Jepson, Mrs. Kate S. Mahon, Miss Julia L. Mayer, and Mrs. Annie J. Woods. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs, and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Texas.

Per Mr. Justice Day.

200 The Michigan Trust Co., Petitioner, vs. Edward P. Ferry. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States

Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Utah for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice McKenna
Mr. Justice Lamar.
(Mr. Justice Van Devanter took no part in the decision of this case.)

201. The Michigan Trust Co., Petitioner, vs. Edward P. Ferry. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and

and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Utah for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice McKenna
Mr. Justice Lamar.
(Mr. Justice Van Devanter took no part in the decision of this case.)

971. Stratton's Independence, Ltd., vs. F. W. Howbert, Collector, &c. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

983 The United States, Petitioner, vs. F. W. Whitridge, Receiver, &c.
984. The United States, Petitioner, vs. A. N. Joline and Douglas Robinson, Receivers, &c.

On consideration of the motion to to advance these cases, It is now here ordered by the Court that the said motion

is hereby granted, and the cases assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

1053 The United States et al., Appellants, vs. Prairie Oil & Gas Co.
1054 The United States et al., Appellants, vs. Uncle Sam Oil Co.
1055 The United States et al., Appellants, vs. Robert D. Benson et al.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

1046 The United States, Petitioner, vs. James B. Regan

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said

1052. John B. Gleason, Petitioner, vs. Harry K. Thaw. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

987. Old Dominion Copper Mining & Smelting Co., Petitioner, vs. Frederick Lewisohn et al., Executors of the Estate of Leonard Lewisohn, deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

William T. Kettenbach and George N. Keiler, Petitioners. vs. The United States. 1011.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Gay Ola Co. Petitioner vs. Coca Cola Co. 1020.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1039. A. M. Winters. vs. The United States. Petitioners.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

941. Supreme Council of the Royal Arcanum and Val M. Selmitz, Regent of De Witt Clinton Council No 419 of the Royal Arcanum, vs. Samuel Green Plaintiffs in Error,

It is ordered by this Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White

504 Ella L. Sanford et al. vs. Santiago Arnica, Administrator, etc. Appellants,

It is ordered by the Court that this cause be placed upon the summary docket.

Per Mr. Chief Justice White

Order.

It is ordered by the Court that the cases transferred to the summary docket be, and the same are hereby, assigned for argument on Monday, May 5th next.

Per Mr. Chief Justice White.

John A. Knoll et al.,
Railroad and Warehouse
Commissioners, et al.,
vs. Appellants,
Chicago, Burlington & Quincy
Railroad Co.
and
State Railroad Rate Cases.
Nos. 12, 339 to 372, 159, 428,
219, 291, 292, 293, 1140 and 1141.

On motion of Mr. Assistant to the Attorney General Fowler, of counsel for the United States, leave is hereby granted to file a brief herein in their behalf as amicus curiae.

Albert B. Cameron,
516. vs. Petitioner.
The United States.

Mr. Assistant to the Attorney General, of counsel for the respondent, submitted to the consideration of the Court a motion to advance this case.

522. Charles Wilson alias Charles Willard vs. The United States. Plaintiff in Error.

523. Catherine Wilson alias Zoe Willard vs. The United States. Plaintiff in Error.

Mr. Assistant to the Attorney General Fowler, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

536. George N. Beddow vs. The United States. Plaintiff in Error.

Mr. Assistant to the Attorney General Fowler, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause, which motion was opposed by Mr. M. M. Riley, of counsel for the plaintiff in error.

1066. William M. Coach, Collector, &c. vs. D. F. Pratt, et al., Executors, &c. Petitioner.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Assistant to the Attorney General Fowler, Mr. Attorney General McReynolds and Mr. Assistant Attorney General Marr in support of the same.

Monday, April 21st, 1913. continued.

13. Original vs. The State of New Mexico, Complainant. The State of Texas

On motion of Mr. W. C. Dennis, of counsel for the defendant, leave is hereby granted to file answer and cross bill in this cause.

972. Frances Harvey, Petitioner. vs. Fidelity & Casualty Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Wade N. Ellis and Mr. John W. Shine in support of the same, and by Mr. Edwin A. Jones in opposition thereto.

1059. Missouri-Edison Electric Co., et al., Petitioners. vs. Morgan Jones et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Wade N. Ellis, Mr. N. S. Priest and Mr. B. Schnurmacher in support of the same, and by Mr. D. T. Bomar in opposition thereto.

230 The Pullman Co., Appellant, vs. A. C. Croom, Comptroller of the State of Florida, The Pullman Co., Appellant, vs. A. C. Croom, as Comptroller of the State of Florida. 307

Mr. Frank B. Kellogg, of counsel for the appellant, suggested the death of A. C. Croom, Comptroller of the State of Florida, a party appellee in these cases, and moved the Court to make W. V. Knott, his successor in office as Comptroller of the State of Florida, a party appellee herein. Whereupon, It is now here ordered by the Court that the said W. V. Knott as Comptroller of the State of Florida, be, and he is hereby, made a party appellee in these cases.

230. The Pullman Co., Appellant, vs. W. V. Knott, Comptroller of the State of Florida, The Pullman Co., Appellant, vs. W. V. Knott, as Comptroller of the State of Florida, et al. 307

On motion of Mr. Frank B. Kellogg, of counsel for appellant, It is ordered by the Court that these cases be, and the same are hereby continued per stipulation.

1035. Missouri, Kansas & Texas Railway Co., et al., Plaintiffs in Error, vs. L. E. Goodrich

The motion to dismiss or affirm in this cause was submitted to the consideration of

Gregg in behalf of Mr. J. A. L. Wolfe of counsel for the defendant in error, in support of the motion and by Mr. Joseph M. Bryson, Mr. Alexander S. Cook and Mr. A. B. Browne, of counsel for the plaintiffs in error, in opposition thereto.

Charles Nemec et al.,
1034 vs. Petitioners.
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. E. Clinton Rhoads in support of the same, and by the Solicitor and Attorney General Denison in opposition thereto.

I. F. Baker et al.,
1061. vs. Petitioners.
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James B. Archer in behalf of Mr. I. W. Stephens and Mr. George E. Miller in support of the same, and Mr. Assistant Attorney General Adkins in opposition thereto.

The People of the State of New York,
No. Original. vs. Complainants.
The State of New Jersey and Passaic Valley Sewerage Commissioners.

On motion of Mr. Frederick S. Tyler in behalf of counsel, and in pursuance of a stipulation of counsel for the re-

in. It is now here ordered by the Court that the time for taking testimony herein on behalf of the complainants be, and the same is hereby, extended to July 1, 1913.

Per Mr. Chief Justice White

1063. Leonard A. Hochstadter, Petitioner, vs. Albert O. Brown et al., &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Merrill Bishop and Mr. Irving L. Ernst, in support of the same, and Mr. Dix W. Noel in opposition thereto.

1045. C. M. Summers, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Evans Browne, Mr. Albert Fink, Mr. Louis P. Shackleford, Mr. A. B. Browne Mr. Alexander Britton and Mr. Kurnel R. Babbitt in support of the same, and by Mr. Assistant Attorney General Adkins in opposition thereto.

305. Adams Express Co., Plaintiffs in Error, vs. Hector Verracke. In Error to the Supreme Court of the State of Pennsylvania.

It appearing to the Court that a stipulation of

the judgment of the Supreme Court of the State of Pennsylvania in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings.

Per Mr. Chief Justice White.

249. Chicago, Burlington & Quincy Railroad Co., Plaintiff in Error, v. William N. Nace.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. T. Byron Clark and Mr. Arthur R. Weller, of counsel for the plaintiff in error, and by Mr. R. W. Breckenridge, of counsel for the defendant in error.

14. Ex parte: In the matter of The American Steel Barrel Co., et al., Original Petitioners,

This cause was argued by Mr. John C. Spooner, of counsel for the petitioners and by Mr John A. Garver, of counsel for the respondents.

The St. Louis Southwestern Railway Co.,
234 vs. Plaintiff in Error.
C. W. Burkett.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. S. H. West, Mr. Talia-ferro Alexander, Mr. C. C. Collins and Mr. Roy T. Britton, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

The United States Fidelity & Guaranty Co., of Baltimore, Md.,
237 vs. Plaintiff in Error.
The Commonwealth of Kentucky.

This cause was argued by Mr. Allan D. Cole, of counsel for the plaintiff in error, and by Mr. James Garnett, of counsel for the defendant in error.

Helena Bugajewitz,
239 vs. Appellant.
Louis Adams, U. S. Inspector, etc., et al.
Anna Schwartz.
240 vs. Appellant.
Louis Adams, U. S. Inspector, etc., et al.
Lilly Weiner.
241 vs. Appellant.
Louis Adams, U. S. Inspector,

These cases were submitted to the consideration of the Court on the record in No. 254, and printed arguments by Mr. Joshua Freeman Grozier, of counsel for the appellants, and by Mr. Assistant Attorney General

Monday, April 21st, 1913, continued

for the appellees.

243. James E. Gorman, Appellant, vs. Charles E. Littlefield, Trustee, etc., et al.

The argument of this cause was commenced by Mr. James L. Coleman, of counsel for the appella—

Proclamation being made, the Court is adjourned

Tuesday, April 22d, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
Horace H. Lurton Associate
Charles E. Hughes. Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in that behalf by Mrs. Ellen Spencer Mussey, it is ordered that Edith Reigman Kerr, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.

On motion first made to the Court in that behalf by Mr. B. G. Foster, it is ordered that George H. Parmelee, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Miller, it is ordered that Percy Sandel, Esquire, of Monroe, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. C. Bacon, it is ordered that A. L. Miller, Esquire, of Macon, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

255 John Meeker, Maggie Davis and Annie Donally, Plaintiffs in Error, vs. Martin Kaelin, Mary Kaelin, his wife, et al.

In Error to the Circuit Court of the United States for the Western District of Washington.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the fourth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for

247. James E. Gorman, Appellant, vs. Charles E. Littlefield, Trustee, etc., et al. The argument of this cause was continued by Mr. James L. Coleman, of counsel for the appellant, and by Mr. Daniel P. Hays, of counsel for the appellees, and concluded by Mr. James L. Coleman, of counsel for the appellant.

244. City of Owensboro, Appellant, vs. The Cumberland Telephone & Telegraph Co. The argument of this cause was commenced by Mr. R. S. Todd, of counsel for appellant; continued by Mr. William L. Granbery, of counsel for the appellee, and concluded by Mr. George W. Jolly, of counsel for the appellant.

246. City of Paducah, Kentucky, Appellant, vs. East Tennessee Telephone Co. This cause was argued by Mr. James Campbell, Jr., of counsel for the appellant, and by Mr. William L. Granbery, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Wednesday, April 23d, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in that behalf by Mr. Duane E. Fox, it is ordered that Francis Boughton Fox, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

251. Charles M. Campbell, Appellant, vs. Northwest Washington Improvement Co., et al. Mr. Leigh Robinson, in behalf of counsel for the appellees, submitted to the consideration of the Court a motion to pass this cause for ten days, which

262. Jose Avalo Sanchez, vs. Concepcion Vera y Diaz and her husband, Jose Santana. Appeal from D District Cour the United St for Porto Ric

This cause having been called for hearing i regular order, and it appearing to the Court the parties have failed to print the transcr of the record, &c is, therefore, in pursuance such rule of this Court, now here ordered, a judged and decreed by this Court that the peal be, and the same is hereby, dismissed cost.

Per Mr. Chief Justice W

247. John Quincy Adams, vs. The City of Milwaukee et al. Plaintiff in Error,

This cause wa gued by Mr. W A. Jacobson, of sel for the plain in error, and by Mr. Daniel W. Hoan, of cou for the defendants in error.

245. George A. Luria, vs The United States. Appellant.

This cause was gued by Mr. Lou Marshall, of coun for the appellant by Mr. Assistant Attorney General Harr, of sel for the appellee.

Wednesday April 23d 1913 continued

251.	Charles M. Campbell, Appellant, vs. Northwest Exchange Improvement Co.	The argument of this cause was commenced by Mr John Ridout, of counsel for the appellant.

Proclamation being made, the Court is ad

Thursday, April 24th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. L. Cole, it is ordered that Alfred M. Liveright, Esquire, of Clearfield, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. Chamberlain, it is ordered that Dan J. Malarkey, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clarke C. Fitts it is ordered that Hale K. Darling, Esquire, of Chelsea, and Marvelle C Wibber, Esquire of Rutland State of Vermont, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

446 The United States of America, Appellant, vs. The Union Pacific Railroad Co., et al.

Mr. John C Spooner of counsel for the appellees, submitted to the consideration of the Court a motion to recall the mandate and modify the decree herein, and leave was granted the Attorney General of the United States to file objections within two days.

251. Charles M. Campbell, Appellant, vs. Northwest Ekington Improvement Co., et al.

The argument of this cause was concluded by Mr John Ritchie, of counsel for the appellant, and leave was granted counsel for the appellees to file a brief within ten days.

253 The United States, Plaintiff in Error, vs. Atlanta Journal Co., et al. This cause was argued by Mr. Assistant Attorney General Nunn, of counsel for the plaintiff in error, and by Mr. Alex. C. King and Mr. Charles T. Hopkins, of counsel for the defendants in error.

254 Chuoco Tiaco alias Chow Tsa, Plaintiff in Error, vs. W. Cameron Forbes et al. Gan Tiee, Plaintiff in Error, vs. W. Cameron Forbes et al. Sy Chang, Plaintiff in Error, vs. W. Cameron Forbes et al. The argument of these cases was commenced by Mr. Jackson N. Ralston, of counsel for the plaintiffs in error; continued by Mr. Felix Frankfurter, of counsel for the defendants in error, and concluded by Mr. C. L. Boivi, of counsel for the plaintiffs in error.

257 William Scott Wood et al., Plaintiffs in Error, vs. Abram M. Chesborough et al. The argument of this case was commenced by Mr. Frank Boughton Fox, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned

Friday, April 25th, 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. J. R. Webster, it is ordered that Frans J. Gustin, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel Davenport, it is ordered that Elmore S. Banks, Esquire, of Bridgeport, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in th
behalf by Mr. James M. Swife, it is orde
that Andrew Marshall, Esquire, of Bosto
State of Massachusetts, be admitted to pra
tice as an attorney and counsellor of this C
and he was sworn accordingly

On motion first made to the Court in the
behalf by Mr. Robert M. La Follette, it is or
that Edward E. Browne, Esquire, of Waupa
State of Wisconsin, be admitted to practice
an attorney and counsellor of this Court, an
he was sworn accordingly

On motion first made to the Court in the
half by Mr. W. C. Dennis, it is ordered th
W. W. Turney, Esquire, of El Paso, State of Te
be admitted to practice as an attorney and
counsellor of this Court, and he was sworn a
cordingly.

On motion first made to the Court in this
half by Mr. Charles L. Frailey, it is ordered
that Sigmund M. Brandt, Esquire, of Nor
State of Virginia, be admitted to practice a
an attorney and counsellor of this Court, and h
was sworn accordingly.

On motion first made to the Court in this
half by Mr. William B. Francis, it is ord
that Frank N. Kerr, Esquire, of Steuben

State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

265 Norfolk & Western Railway Co., Plaintiff in Error, vs. Dixie Tobacco Co. — On motion of Mr. John K. Graves in that behalf, leave is hereby granted Mr. Francis Maddox Rivinus to appear in this cause for the

291 George T. Simpson et al., Appellants, vs. David C. Shepard
292 George T. Simpson et al., Appellants, vs. Emma B. Kennedy et al.
293. George T. Simpson et al., Appellants vs. William Shellabear. — On motion of Mr. Thomas D. O'Brien of counsel for the appellants, leave is hereby granted to file a brief in these cases in reply to the brief of the Attorney General of the United States

257. William Scott Wood et al, Plaintiffs in Error, vs. Abram M. Chesborough et al. — The argument of this cause was continued by Mr. Francis Boughton Fox, of counsel for the plaintiffs in error, and by Mr. T. M. Miller, of counsel for the defendants in error, and concluded

plaintiffs in error.

William Stewart Macleod, as sole surviving partner, &c.,
259 vs. Appellant,
The United States.

The argum
of this cau
was comm
by Mr. C
Mohun, of
sel for the appellant; continued by Mr. J
D. C. Faust, of counsel for the appellee, and
cluded by Mr. L. T. Michener, of counsel fo
appellant.

The Texas & Pacific Railway Co.,
260 vs. Plaintiff in Error.
John Lacey.

In Error t
United St
Circuit C
of Appeal

the Fifth Circuit.

It appearing to the Court that the auth
of counsel for the plaintiff in error to dismi
the writ of error in this cause has been fo
Therefore, in pursuance of said authority, i
now here ordered and adjudged by this Co
that the writ of error in this cause be, and t
same is hereby, dismissed with costs.

Per Mr. Chief Justice

Lem Woon,
261 vs. Plaintiff in Error,
The State of Oregon.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James E. Fenton and Mr. John F. Logan, of counsel for the plaintiff in error, and by Mr. A. M. Crawford and Mr. Dan J. Malarkey, of counsel for the defendant in error.

First National Bank of Claremore,
263 vs. Plaintiff in Error,
C. M. Keys et al.

First National Bank of Vinita,
264 vs Plaintiff in Error,
C. M. Keys et al.

Citizens Bank of Pryor Creek,
302 vs Plaintiff in Error,
C. M. Keys et al.

J. C. Hogan,
303. vs. Plaintiff in Error,
C. M. Keys et al.

The argument of these cases was commenced by Mr. W. N. Kornegay, of counsel for the plaintiffs in error.

Proclamation being made, the Court is ad-

Monday, April 28th. 19

Pursuant to adjournment, the
day at the Capitol.

Present:

The Honorable Edward D. Whit
Joseph McKenna
Oliver Wendell
William R. Da
Horace H. Lurton
Charles E. Hug
Willis Van Dev
Joseph R. Lam
Mahlon Pitney
John M. Wright, C
James A. McKe

Proclamation being made, the C

On motion first made to the Co
behalf by Mr. Max L. Mitchell
that Nicholas M. Edwards and
M. Hoagland, Esquires, of Wi
and J. E. B. Cunningham, Esq
Pittsburgh, State of Pennsylvania
to practice as attorneys and co
this Court, and they were sworn

On motion first made to the Co
behalf by Mr. Attorney General M
it is ordered that Reginald Hat
Johnson, Esquire, of Boston, Ma
chusetts, be admitted to prac

Court met to

e. Chief Justice.
a
Holmes
d
n Associate
hes Justices
nted
ar

Esquire, Marshal.
ney, Clerk.

Court is opened.

urt in this
, it is ordered
e Archibald
leansport,
uire, of
, be admitted
nsellors of
accordingly.

urt in this
McReynolds,
thaway
ate of Mass-

attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. F. Blair, it is ordered that Irwin Donovan, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Poe, it is ordered that Alfred D. Smith, Esquire, of Washington District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. Graham, it is ordered that Harry J. Ricklman, Esquire, of Effingham, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas S. Martin, it is ordered that Claude A. Swanson, Esquire, of Chatham, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn

Northern Pacific Railway Co. and Northern Pacific Railroad Co., Appellants, vs. Joseph N. Boyd. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Washington.

Per Mr. Justice Lamar.

Dissenting:
Mr. Justice Lurton
Mr. Chief Justice White
Mr. Justice Holmes
Mr. Justice Van Devanter.

Charles C. Burlingham, Arthur K. Peck and Albert W. Bonynge, as trustees of the property, assets and effects of Thomas A. McIlvyre et al., individually and composing the firm of T. A. McIlvyre & Co.,

184. vs. Appellants,

Charles M. Crouse.

Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Day.

Hannah L. Andrews,
Executrix of the Estate of
Benjamin D. Andrews,
deceased,
Petitioner.
vs.
Harvey K. Partridge,
Trustee in Bankruptcy
of Benjamin D. Andrews.

1196

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of New Jersey for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Day.

595. A. Leo Everett as Trustee in Bankruptcy of Alfred M. Judson, individually and as a member of the firm of Judson & Judson, Petitioner
vs.
William D. Judson, as Executor of the last will and testament of Alfred M. Judson.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Day.

229. Madera Water Works, Appellant,
vs.
City of Madera et al.

Appeal from the Circuit Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court

California, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California

Per Mr. Justice Holmes.

715. Harry K. Johnson, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed

Per Mr. Justice Holmes.

371. James L. Bradford, Appellant, vs. The United States. Appeal from the Court of Cla[illegible].

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby, affirmed.

Per Mr. Justice McKenna.

(The Chief Justice took no part in the decision of this case.)

202. Edward B. Jordan, Collector of Internal Revenue, vs. James W. Roche.

203. Edward B. Jordan, Collector of Internal Revenue, vs. Charles N. Ross and William P. Ross.

On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

These cases came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and were argued by counsel. On consideration whereof, It is the opinion of this Court that the ques-

affirmative. Whereupon, It is now here ord
by this Court that it be so certified to the
United States Circuit Court of Appeals.

Per Mr. Justice McKen

Seaboard Air Line Railway. In Error to t
vs. Plaintiff in Error, United State
P. R. Moore. cuit Court o
Appeals for t

Fifth Circuit.

This cause came on to be heard on the t
script of record from the United States Ci
Court of Appeals for the Fifth Circuit, and
was argued by counsel. On consideration
of. It is now here ordered and adjudged
this Court that the judgment of the said
United States Circuit Court of Appeals in
this cause be, and the same is hereby, af
firmed with costs; and that this cause be
the same is hereby, remanded to the Distr
Court of the United States for the Southern
District of Florida.

Per Mr. Chief Justice W

Ex parte: In the matter of William J. Dante, Collector of the Estate of Stilson Hutchins, deceased. Petitioner

On conside
tion of the
tion for w
of mandam
and certio
herein, of

15, Original.

argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged and that the petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

234 The St. Louis Southwestern Railway Co., Plaintiff in Error. vs. C. W. Burkett. In Error to the District Court of the Parish of Caddo, State of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the Parish of Caddo, State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings.

Per Mr. Chief Justice White.

411 The United States ex rel. Sali Zimmeropitz, Appellant. vs. P. L. Prentis and C. H. Paul. Appeal from the District Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the District Court of

Illinois, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed for the want of jurisdiction

Per Mr. Chief Justice

223 Marion A. Morse, Plaintiff in Error, vs. Sidney A. Brown, Sheriff &c. of New London Co., Conn. In Error to the Supreme Court of Errors of the State of Connecticut.

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice

516. Albert B. Cameron, Petitioner. vs. The United States. On consideration of the motion to advance this cause

It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause is assigned for argument on Tuesday, October next, after the cause therefore assigned for the

Per Mr. Chief Justice

Charles Wilson, alias
Charles Willard.
522 vs Plaintiff in Error.
The United States

Catherine Wilson, alias
Zoe Willard,
523 vs. Plaintiff in Error.
The United States.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on Tuesday October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

George N. Beddow.
556 vs Plaintiff in Error.
The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

C M. Summers
1045 vs Petitioner.
The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

On consideration of the petition for a writ

Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

1066. William M. Coach, Collector of Internal Revenue, vs. Dundas T. Pratt, Frederick A. Dreer, S. Henry Norris, and William Love, Executors of the last will and testament of Ferdinand J. Dreer, deceased. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

972. Frances Harvey, Petitioner, vs. Fidelity & Casualty Co. for the Sixth Circuit.

On petition for writ of certiorari to the United States Circuit Court of Appeals

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1034 Charles Nimcof and Samuel J. Goldesfeld, Petitioners. vs. The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1054 Missouri Edison Electric Co., et al., vs. Morgan Jones et al. Petitioners, On petit writ of to the Unit States Court for the Eighth Circuit.

On consideration of the petition for of certiorari herein to the United S cuit Court of Appeals for the Eigh and of the argument of counsel th had, as well in support of as again It is now here ordered by this Cou the said petition be, and the same i denied.

Per Mr. Chief Jus

1061 T. F. Baker and John A. Wishard, vs. The United States. Petitioners, On petitio of certiora United S cuit Cou peals for

Circuit

On consideration of the petition fo of certiorari herein to the United Sta cuit Court of Appeals for the Fifth and of the argument of counsel ther had, as well in support of as against It is now here ordered by this Court said petition be, and the same is her

Per Mr. Chief Jus

1063. Leonard A. Hochstadter, Petitioner vs. Albert O. Brown and Lewis G. Young, individually and as members of the firm of A. O. Brown & Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr Chief Justice White

The Chief Justice announced that the call of the docket will be suspended on Friday, May 7, and that the Court will take a recess from Monday, May 10, to Monday, May 24.

321. Charles Wilson, &c., Appellant, vs. The United States

The motion to dismiss in this cause was submitted to the consideration of the Court on printed argument by Mr. Assistant to the Attorney General Fowler, Mr. Attorney General McReynolds and Mr. Assistant Attorney General Harr, of counsel for the appellee, in support of the motion

1149. Chin Lee, vs. Plaintiff in Error. The United States. Mr. Assistant to the Attorney General Fowler, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause and place the same on the summary docket.

678. The National Home for Disabled Volunteer Soldiers et al., vs. Appellants, J. E. Parish. Mr. Assistant to the Attorney General Fowler, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause for submission on printed briefs.

829. The New York Electric Lines Co., vs. Plaintiff in Error, Empire City Subway Co. Ltd. Mr. Frederic D. McKenney, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

1075. Jacob Doll & Sons, Inc., vs. Petitioner, Giovanni Tommaso Rebetta. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. W. S.

Dulzell in support of the same

783 The United States, Plaintiff in Error,
vs.
The Chandler Dunbar Water Power Co. et ae.

The Chandler Dunbar Water Power Co., Plaintiff in Error,
vs.
The United States

On motion of Mr. Moses Hooper, of counsel for the Chandler Dunbar Water Power Co., leave is hereby granted to file a brief on the question of jurisdiction

754

823 The Bell Line Railway Co., Appellant,
vs.
The City of Montgomery et ae.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. A Gunter, of counsel for the appellees in support of the motion, and by Mr Alexander Hamilton of counsel for the appellant in opposition thereto.

556 The Title Guaranty & Surety Co., Plaintiff in Error,
vs.
The United States to the use of Harlan & Hollingsworth

On motion of Mr. Thomas Stokes, of counsel for the defendant in

ordered by the Court that this cau
the same is hereby advanced, pursu
the thirty second rule.

530. The Title Guaranty & Surety Co.; vs. Plaintiff in Error. The United States to the use of Harlan and Hollings-worth

Thus ca
submis
consid
the Co
the rec
privilege
ments

Russell N. Robbins, of counsel for the p
error, and by Mr. D. W. Pepper and P
Stokes, of counsel for the defendant in

676. Thomas J. Lynch, Executor, &c., vs. Petitioner, The Travelers Insurance Co.

The petit
writ of ce
herein wi
tent to th
ation of t
on privile

ments by Mr. George W. Neilson in s
of the same, and by Mr. R. Rose Perry
Rose Perry, Jr., and Mr. Harvey D. E
opposition thereto.

176. George A. Fuller Co. vs Plaintiff in Error. Wilson A. McCloskey

On moti
Mr. Da
Hayden
sel for t

It is ordered by the Court that

the same is hereby, granted the Clerk to issue the mandate in this cause.

1030 Elijah Watt Sells vs. The City of Chicago. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Oliver C. Carpenter. Mr. Delavan A. Holmes and Mr. M. M. Townley in support of the same, and by Mr. William H. Sexton and Mr. Charles M. Hafo in opposition thereto.

1000 Julian Munsuri, vs. C. O. Lord, Trustee, &c. Appellant. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William H. Hawkins and Mr. N. B. K. Pettingill of counsel for the appellee in support of the motion, and by Mr. Frederic R. Coudert and Mr. Howard Thayer Kingsbury, of counsel for the appellant, in opposition thereto.

1000. Julian Munsuri, vs. C. O. Lord, Trustee, &c. Appellant. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. C. McReynolds in behalf

Thayer Kingsbury in support of the same, and by Mr. William N. Hawkins and Mr. N. B. K. Pennigle in opposition thereto. 263

1000. Julian Mansuri. vs. C. C. Lord, Trustee, etc. Appellant. The suggestion of diminution of the record and motion for a writ of certiorari in this cause was submitted to the consideration of the Court by Mr. J. C. McReynolds in behalf of Mr. Frederic R. Coudert and Mr. Howard Thayer Kingsbury in support of the same 264 302

1065. The National Surety Co., vs. The Western Pacific Railway Co. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. C. McReynolds in behalf of Mr. Frederic R. Coudert. Mr. William J. Griffin, Mr E. S. Heller and Mr. C. W. McEnerney in support of the same, by Mr. F. W. Cutcheon in opposition thereto 303. 16 Orig. 17. Orig. 18. Orig. 265

Monday, April 28th, 1913, continued

First National Bank of Claremore,
vs Plaintiff in Error,
C. M. Keys et al.

First National Bank of Vinita,
vs Plaintiff in Error,
C. M. Keys et al.

Citizens Bank of Pryor Creek,
vs Plaintiff in Error.
C. M. Keys et al.

J. C. Hogan.
vs Plaintiff in Error.
C. M. Keys et al.

The argument in these cases was continued by Mr. W. N. Redwine of counsel for the plaintiffs in error, and Mr. Robert L. Blair, of counsel for the defendants in error, and concluded by Mr. W. A. Ronnegay, of counsel for the plaintiffs in error.

Ex parte: In the matter of J. Harry Spencer,
Petitioner
Ex parte: In the matter of Albert L. Scholl,
Petitioner
Ex parte: In the matter of Frank L. Moyer,
Petitioner

These cases were argued by Mr. M. C. Rhone and Mr. W. A. Spencer, of counsel for the petitioners, and by Mr. N. M. Edwards and Mr. Max L. Mitchell, of counsel for the respondent.

Norfolk & Western Railway Co.,
vs Plaintiff in Error.
Dixie Tobacco Co.

This cause was argued by Mr. Fran-

Rivinus, of counsel for the plaintiff in error (by special leave). No counsel appeared for the defendant in error.

266 The Clement National Bank. vs. The State of Vermont. Plaintiff in Error. The argument of this cause was commenced by Mr. Marcellus C. Webber, of counsel for the plaintiff in error.

Proclamation being made, the Court is ad-

Tuesday, April 29th 1913.

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

Northwestern Pacific Railroad Co., vs Plaintiff in Error.
275. The United States.

It is ordered by the Court that this cause be and the same is hereby, continued for stipulation.

The Clement National Bank, vs. Plaintiff in Error,
266 The State of Vermont.

The argument of this cause was continued by Mr. Marcellus C. Webber, of counsel for the plaintiff in error, and by Mr. Hale K. Darling and Mr. Clarke C. Fitts, of counsel

by Mr. Maxwell Evarts, of counsel for the plaintiff in error.

265 Baltic Mining Co., vs. Plaintiff in Error, Commonwealth of Massachusetts.

266 S. S. White Dental Manufacturing Co., vs. Plaintiff in Error, Commonwealth of Massachusetts

The argument of these cases was commenced by Mr. William D. Evarts, of counsel for the plaintiffs in error, and continued by Mr. Charles A. Snow, of counsel for the plaintiffs in error, and by Mr. James M. Swift, of counsel for the defendant in error.

Proclamation being made, the Court is ad-

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R Lamar.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph S. Clark, it is ordered that Franklin T. Griffith, Esquire, of Portland State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. R. Thornton, it is ordered that Harry P. Gamble, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Charles S. Thomas, it is ordered that James A. Marsh, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard Taylor, it is ordered that Philip W. Russell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Calhoun, it is ordered that E. Waring Wilson, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

265 Ballie Mining Co.,
vs. Plaintiff in Error,
Commonwealth of Massachusetts.

S S White Dental Manufacturing Co.
vs. Plaintiff in Error
Commonwealth of Massachusetts.

The argument of these cases was continued by Mr. Andrew Marshall, of counsel for the defendant in error, and concluded by Mr Charles A. Snow,

Wednesday, April 30th, 1913 continued.

269. The Southern Pacific Railroad Co., Appellant, vs. The United States.

This cause was argued by Mr. Maxwell Evarts, of counsel for the appellant, and by Mr. Assistant Attorney General Knaebel, of counsel for the appellee.

270 & 279 George W. Cureton, Plaintiff in Error, vs. The State of Georgia.

The argument of these cases was commenced by Mr. Samuel S. Maddox, of counsel for the plaintiff in error; continued by Mr. Thomas S. Felder, of counsel for the defendant in error, and concluded by Mr. J. J. Lynch, of counsel for the plaintiff in error, and leave was granted the defendant in error to file an additional brief within ten days.

271. Douglas W. Bailey, Appellant, vs. Arthur Sanders.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Douglas W. Bailey for the appellant. No counsel appeared for the appellee.

270 The Lewis Blue point Oyster Cultivation Co. vs J Marvin Briggs

Plaintiff in Error.

Plaintiff in error.

The argument of this cause was commenced by Mr. Howard Taylor, of counsel for the

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Thursday, May 1st, 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Wade H. Ellis, it is ordered that Ralph D. Cole, Esquire, of Findlay, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Grant Fellows, it is ordered that Hugh Shepherd, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morse Ives, it is ordered that James Rosenthal, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. J. Hurley, it is ordered that James A. Veasey, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. A. Blount, it is ordered that Francis B. Carter, Esquire, of Pensacola, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

276 John Ashon, Appellant, vs. The Board of Commissioners for the Protection of Birds, Game and Fish et al Leong Mow.

277 Appellant, vs. The Board of Commissioners for the Protection of Birds.

On motion of Mr. Harry P. Gamble, of counsel for the appellees, and in pursuance of a stipulation of counsel for the respective parties here-

that the Conservation Commission of Louisiana and M. L. Alexander, Edgar T. Cooke and J. A. Dupuis be substituted as parties appellees in these cases in place of The Board of Commissioners for the Protection of Birds, Game and Fish et al.

272. The Lewis Blue Point Oyster Cultivation Co., vs. J. Marvin Briggs, Plaintiff in Error. The argument of this cause was continued by Mr. Howard Taylor, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Denison, of counsel for the defendant in error, and concluded by Mr. Howard Taylor, of counsel for the plaintiff in error.

273 Oscar Wilkinson et al. vs. Oscar N. M. McKinnis et al, Plaintiffs in Error. The argument of this cause was commenced by Mr. Chas. Roe, of counsel for the plaintiffs in error; continued by Mr. John Ridout, of counsel for the defendants in error and concluded by Mr. Alfred D. Smith, of counsel for the plaintiffs in error.

Portland Railway, Light & Power Co.,
vs. Plaintiff in Error,
1148 120 Railroad Commission of Oregon.

The argument of these cases was commenced by Mr. Franklin T. Griffith, of counsel for the plaintiff in error, and continued by Mr. A. M Crawford, and Mr. Clyde B. Aitchison, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Friday, May 2d, 1913.

(Pursuant to adjournment, the Court met today, at the Capitol

(Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John H. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. T. Denison, it is ordered that Samuel J. Rosensohn, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Borah, it is ordered that Charles F. Reddoch, Esquire, of Boise City, State of Idaho, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Friday, May 2d, 1913, co

On motion first made to the Cour
half by Mr. A. J. Peters, it is ord
M. Frederick O'Connell, Esquire,
State of Massachusetts, be admitte
as an attorney and counsellor of thi
he was sworn accordingly.

288. Samuel C. Brun, Pl
vs Plaintiff in Error,
Rudolph B. Schneider et ux. the

This cause having been called for
its regular order, and it appearing
that the parties have failed to print
script of the record, It is, therefore, o
of the tenth rule of this Court, now
and adjudged by this Court that
error in this cause be, and the same
dismissed with costs.

Per Mr. Chief Jus

1197 120 Portland Railway, Light & Power Co., Plaintiff in Error, vs. Railroad Commission of Oregon.

defendant in error, and concluded
Joseph S. Clark, of counsel for de
in error.

274 Jerome E. Morse, Appellant, vs. The United States.

This cause was argued by Mr. George A. King, of counsel for the appellant, and by Mr. Frederick D. Faust, of counsel for the appellee.

276 John Ashton, Appellant, vs. The Conservation Commission of Louisiana et al.

277 Leong Mow, Appellant, vs. The Conservation Commission of Louisiana, et al.

These cases were argued by Mr. Harry S. Gamble, of counsel for the appellant, and submitted on the records and printed arguments by Mr. E. Howard McCaleb of counsel for the appellants.

281 The Oregon Railroad & Navigation Co., Plaintiff in Error, vs. F. V. Martin, Sole Surviving Partner, &c.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Maxwell Evarts and Mr. W. W. Cotton, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

283 Roy Brooks.
vs. Plaintiff in Error.
Central Sainte Jeanne.

Thus cause
submitted
consideratio
the Court
record and printed arguments by Mr
K. Pellingill and Mr. George N. Lamar
counsel for the plaintiff in error, and by
Benjamin L. Minor, Mr. Hugh B. Rowl
and Mr. Colley W. Bell, of counsel for
fendant in error.

284 The Citizens Telephone Co.,
vs. Appellant,
Oramel B. Fuller, Auditor
General, etc.

285 The Citizens Telephone Co.
of Jackson.
vs Appellant,
Oramel B. Fuller, Auditor
General, etc

These case
argued by
Roger J. O
of counsel
the appel
and subm
on the rec
and a pri
argument
Mr. Thom
Bradfield, of counsel for the appellants.

286 The Chicago Dock & Canal Co.
vs. Plaintiff in Error,
Catherine A. Fraley, as Administratrix, &c.

This cas
was arg
by Mr.
Ives, of
sel for th
plaintiff in error, and submitted on a pri
argument by Mr. James C. McShane, o
counsel for the defendant in error.

The Merchants National Bank of the City of New York et al.,
287 vs. Appellants,
Laurence E Sexton, as Trustee, etc.

The cause was argued by Mr. Wallace Macfarlane, of counsel for the appellee, and submitted on the record and printed argument by Mr. George Zabriskie and Mr Henry G. Gray, of counsel for the appellants.

Proclamation being made, the Court is

Monday, May 5th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Marcus A. Smith, it is ordered that George D. Christy, Esquire, of Phoenix, State of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General McReynolds it is ordered that Thomas Wall Shelton, Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Swagar Sherley, it is ordered that J. M. Collins, Esquire, of Maysville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles L. Frailey, it is ordered that Henry J. Scott, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Robert D. Tollin, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lyndon A. Smith, it is ordered, that James Robertson, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. W. Baker, it is ordered

land, State of Ohio, be admitted to pra
as an attorney and counsellor of this C
and he was sworn accordingly.

On motion first made to the Court in a
behalf by Mr. Charles Henry Butler, i
ordered that Walter D. Herriot, Esquir
Chicago, State of Illinois, be admitted
practice as an attorney and counsellor
this Court, and he was sworn accordingl

On motion first made to the Court in a
behalf by Mr. M. D. Rosenberg, it is ord
that Fulton M. Brylawski, Esquire, of
ington, District of Columbia, be admitte
practice as an attorney and counsellor
this Court, and he was sworn accordingly

On motion first made to the Court in
behalf by Mr. Jack Beall, it is ordered
that Samuel William Fisher, Esquire, of
Austin, State of Texas, be admitted to
tice as an attorney and counsellor of thi
Court and he was sworn accordingly.

On motion first made to the Court in
behalf by Mr. W. T. Denison, it is ordered
that Chauncey I. Clark, Esquire, of New
York City, be admitted to practice as
attorney and counsellor of this Court, an
he was sworn accordingly.

	Chicago, Indianapolis & Louisville Railway Co.,	In Error to the Appellate Court,
384.	vs Plaintiff in Error.	First District,
	Haynes L. Hackett.	State of Illinois.

This cause came on to be heard on the transcript of the record from the Appellate Court, First District State of Illinois, and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Appellate Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lurton

	Chuoco Tiaco, alias Chua Tea,	In Error to the Supreme Court of the Philippine Islands.
254	vs. Plaintiff in Error,	
	W. Cameron Forbes, J. E. Harding, C. K. Trowbridge and A. S. Crossfield	

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the

Law Tico. vs. Plaintiff in Error. W. Cameron Forbes, J. E. Harding, C. R. Trowbridge and A. S. Crossfield. In Error to Supreme C of the Philipp Islands.

This cause came on to be heard on the r scripe of the record from the Supreme Co of the Philippine Islands, and was argu by counsel. On consideration whereof, I now here ordered and adjudged by this C that the judgment of the said Supreme C in this cause be, and the same is hereby, af with costs.

Per Mr. Justice Holm

Sy Chang, vs. Plaintiff in Error. W. Cameron Forbes, J. E. Harding, C. R. Trowbridge and A. S. Crossfield. In Error to Supreme Co of the Philipp Islands.

This cause came on to be heard on the re scripe of the record from the Supreme Cou of the Philippine Islands, and was argu by counsel. On consideration whereof, It is now here ordered and adjudged by this C that the judgment of the said Supreme Co in this cause be, and the same is hereby, a firmed with costs.

Per Mr. Justice Hol

George Lemist Clarke, Trustee under the will of Samuel Parsons, Appellant, vs. Henry M. Rogers, Trustee in Bankruptcy of the Estate of John O. Shaw

224

Appeal from the United States Circuit Court of Appeals for the First Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Massachusetts.

Per Mr. Justice McKenna.

(Mr. Justice Holmes concurs in the result.)

The United States, Plaintiff in Error, vs. Arnulfo Chavez alias Arnulo Chavez.

863

In Error to the District Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the District Court

of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings

Per Mr. Chief Justice White

No 64

The United States, Plaintiff in Error,
vs.
Jose Mesa.

In Error to the District Court of the United States for the Western

District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings.

Per Mr. Chief Justice White

Ex parte: In the matter of the First National Bank of Dexter, New York, a corporation. Petitioner

11, Original.

On consideration of the petition for writ of mandamus and certiorari herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged, and that the petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Ex parte: In the matter of Benjamin F. Edwards, Petitioner.

12, Original.

On consideration of the petition for writ of mandamus and certiorari herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged, and that the petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Union Trust Co. of St. Louis Executor of the estate of George A. Madill, deceased, Plaintiff in Error

46 vs.

Ben Westhus and E. B. Allen, Collector of Internal Revenue First District of Missouri

In Error to the Circuit Court of the United States for the Eastern District of Missouri.

transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Missouri.

Per Mr. Chief Justice White.

Charles Wilson, arrested under the name of Charles Willard.

vs. Appellant.

The United States.

Appeal from the District Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and on motion to dismiss which was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice White.

The Colorado & Northwestern Railroad Co., Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the District of Colorado.

2.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice White

S. D. Harper, Plaintiff in Error, vs. Grant Vietor, United States Marshal for the Eastern District of Oklahoma. In Error to the Circuit Court of the United States for the Eastern District of Oklahoma.

238

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of

this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Oklahoma.

Per Mr. Chief Justice White.

253 The United States, Plaintiff in Error, vs Atlanta Journal Co., James R. Gray, John D. Simmons, C. B. Babb and V. S. Harper. In Error to the Circuit Court of the United States for the Northern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Georgia.

Per Mr. Chief Justice White.

277.

276 John Ashon, Appellant, vs The Conservation Commission of Louisiana et al. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the

script of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed without costs to either party. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Louisiana.

Per Mr. Chief Justice White.

Leong Moo.
vs Appellant,
The Conservation Commission of Louisiana et al.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed without costs to either party. It is further ordered that this cause be, and the same is hereby remanded to the District Court of the United States for the Eastern District of Louisiana.

281 The Oregon Railroad & Navigation Co., Plaintiff in Error, vs. F. V. Martin, as sole surviving Partner of the firms of Rigge & Co. and Rigge and Martin. In Error Supreme of the Oregon

This cause came on to be heard on script of the record from the Supreme of the State of Oregon, and was arg counsel. On consideration whereof, It here ordered and adjudged by this the judgment of the said Supreme Co cause be, and the same is hereby, rever costs; and that this cause be and it is hereby, remanded to the said Supre for further proceedings.

Per Mr. Chief Ju

George Harrington, Thomas A. Edison et al., vs. Appellants, The Atlantic & Pacific Telegraph Co. et al. Appeal fro United Sta Court of A for the Se Circuit.

This cause came on to be heard on script of the record from the United S Circuit Court of Appeals for the Se Circuit, and on motion to dismiss, wh argued by counsel. On consideration

It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

George Harrington Thomas A. Edison et al., vs. Appellants The Atlantic & Pacific Telegraph Co., et al.	1410	Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Chief Justice White.

1035 Missouri, Kansas & Texas Railway Co., and American Surety Co., Plaintiffs in Error, vs. L. E. Goodrich. In Error to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

1199 Chris Lee, Plaintiff in Error, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

675. The National Home for Disabled Volunteer Soldiers et al., Appellants, vs. J. E. Parrish

On consideration of the motion to advance this cause for submission on printed briefs, It is now here ordered by the Court that said motion be, and the same is hereby, granted

Per Mr. Chief Justice White.

829. The New York Electric Lines Co., Plaintiff in Error, vs. Empire City Subway Co. Limited

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

963. Thomas J. Lynch, Executor of Fred K. Thorne, deceased, Petitioner, vs. The Travelers Insurance Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit and of the argument of counsel thereupon had, as well in support of as against the

that the said petition be, and the s
hereby, denied.

Per Mr. Chief J

1030 Elijah Dull Seller. vs. The City of Chicago. Petitioner. On petition f certiorari to States Circu Appeals for th

Circuit

On consideration of the petition for a certiorari herein to the United States C Court of Appeals for the Seconds Circ of the argument of counsel thereupon t well in support of as against the same now here ordered by this Court that the petition be, and the same is hereby, den

Per Mr. Chief J

1165 The National Surety Co., vs. The Western Pacific Railway Co Petitioner On petition f certiorari to States Circu of Appeals f Ninth Circ

On consideration of the petition for a certiorari herein to the United States C Court of Appeals for the Ninth Circu of the argument of counsel thereupon t well in support of as against the same now here ordered by this Court that petition be, and the same is hereby, d

Per Mr. Chief Jus

1075 Jacob Doll & Sons, Inc. vs. Giovanni Tommaso Ribetta. Petitioner, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

823 The Belt Line Railway Co. vs. The City of Montgomery et al. Appellant. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White.

1446 The United States of America. vs. The Union Pacific Railroad Co., et al. Appellant. On consideration of the motion to recall and modify the mandate heretofore issued in this cause, It is now here ordered by the Court that the

hereby, granted, to the extent of extending the time for submitting to the Court below the plan for disposition of the stock of the Northern Pacific Company to the first day of June next.

Per Mr. Chief Justice White.

8 & 8. The United States, Plaintiff in Error
vs.
Samuel E. Moist

Mr. Assistant to the Attorney General Fowler, counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance the cause.

10 & 3. C. M. Summers, Petitioner.
vs.
The United States.

Mr. Assistant to the Attorney General Fowler, of counsel for the respondent, submitted to the consideration of the Court a motion to advance this cause.

6 & 5. The National Home for Disabled Volunteer Soldiers et al., Appellants,
vs.
J. E. Parrish

This cause was submitted to the consideration of the Court on the record and printed arguments.

Mr. Assistant to the Attorney General Fowler and Mr. Assistant Attorney General Harr[illegible] of counsel for the appellants, and Mr. [illegible]

R. E. L. Mountcastle, of counsel for the appellee

Thomas R. Marshall, Governor, etc., et al., vs John T. Dye. Plaintiffs in Error. 896. Mr James A. Fowler in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

Leon Cardenas Martinez. vs. The State of Texas et al. Plaintiff in Error. 805. Mr. J. H. Wood, in behalf of counsel for the defendants in error, submitted to the consideration of the Court a motion to advance this cause.

John A. Adams, vs James Russell, Warden, etc., et al. Plaintiff in Error. 1048. Mr. Fred N. Baker, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause for submission on printed briefs.

Lillian F. Slocum, Executrix, etc., vs New York Life Insurance Co. Petitioner 20 Mr. Everett P. Wheeler, in behalf of a special committee of the American

submitted to the consideration of the C
tion for leave to intervene and file a p
pertaining herein

1083. Cornelius A. Dave et al., vs. Petitioners. Smokeless Fuel Co.

The pet
writ of
herein
mitted
sideration of the Court on printed a
by Mr. Chauncey I. Clark in behal
Charles C. Burlingham in support
and by Mr. Louis Sturcke in opposi

1082. John M. Rhea vs. Petitioner, The United States.

The petit
writ of er
herein wa
ted to the
ation of the Court on printed argum
Mr. Claude A. Swanson and Mr. W
in support of the same, and by Mr.
Attorney General Hoyt in opposition

1089. N. G. Hastings et al., vs. Petitioners. W. D. Malone.

The petit
writ of er
herein wa
ted to the
ration of the Court on printed argu
Mr. S. W. Fisher and Mr. William
in support of the same, and by Mr.
Barber in opposition thereto.

1093	Cuno H. Rudolph et al., Commissioners of the District of Columbia vs. Petitioners, The Lynchburg Investment Corporation et al.	The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. James F. Smith and Mr. Edward N. Thomas in support of the same, and leave was granted Mr. W. C. Sullivan to file a brief in opposition thereto within two days.
1092.	William A. Wright, Comptroller General of the State of Georgia vs. Petitioner, Louisville & Nashville Railroad Co. et al.	The petition for a writ of certiorari herein was submitted to the consideration of the Court by on printed arguments Mr. John C. Hart, Mr. Thomas S. Felder, and Mr. Samuel H. Sibley in support of the same, and by Mr. Joseph B. Cumming and Mr. Alex. C. King in opposition thereto.
1051.	Riley Conley Manufacturing Co. Petitioner. vs Nellie C. Aiken et al.	The petition for a writ of certiorari herein was submitted to the consideration of the Court by on printed arguments Mr. E. W. Bradford, Mr. William G. Doolittle and Mr. Henry P. Doolittle in support of the same, and by Mr. Robert D. Totten and Mr. James L. Kay in opposition thereto.

1017. Detroit United Railway, Plaintiff in Error, vs. The City of Detroit.

The ... dered ... fur... ... vari... submitted to the consideration of the ... printed arguments by Mr. R. J. Lo... Mr. Alfred Lucking of counsel for ... in error in support of the same, and ... John C. Donnelly, of counsel for the ... error, in opposition thereto, which ... R. J. Lawson to file an additional ... twenty four hours.

1084. Joseph G. Mayer et al., Petitioners vs. The United States.

The pet... writ of ... herein ... ted to ... eration of the Court on printed argu... Mr. Arthur Peter in behalf of Mr. C... Mr. Thomas J. Fauntleroy and Mr... Barclay in support of the same, and ... Assistant Attorney General Hunt in ... thereto

919. The Eastern Extension Australasia & China Telegraph Co., Appellant, vs. The United States.

Mr. Fu... Brylaw... half of ... for the ... submitte... consider...

the Court a motion to advance this ...

Ernest M. Collins,
394 vs Plaintiff in Error,
John W Danforth Co.
of Buffalo, New York

In Error to the Court of Appeals of the District of Columbia.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

Ben F. Harrison, Secretary of State of the State of Oklahoma,
305. vs. Appellant,
St. Louis & San Francisco Railroad Co.

It is ordered by the Court that this cause be, and the same is hereby, continued per stipulation.

Singer Sewing Machine Co. of New Jersey,
289. vs. Appellant,
James F. Benedict, Treasurer of the City and County of Denver et al.

Mr. R. N. Gilmore, of counsel for the appellant, suggested the retirement from office of James F. Benedict, and the election of Allison Stocker as his successor as Treasurer of the City and County of Denver,

Allison Stocker as Treasurer of the
County of Denver a party aggrie
cause. Whereupon, It is now here
the Court that the said Allison
Treasurer of the City and County
be, and he is hereby made a party
this cause.

Singer Sewing Machine Co.
of New Jersey.
vs. Appellant,
Allison Stocker, Treasurer
of the City and County of
Denver et al.

2157

Thi
arg
R.
and
A.
cou
appe

by Mr. J. A. Marsh, of counsel for

Belle J Barnes et al,,
vs. Appellants,
J. L. B. Alexander et al.

11165

Thi
subm
consi
the C

record and printed arguments by
S. Ives, of counsel for the appellant
Mr. A B. Browne, Mr. Alexander
Evans Browne, Mr. J L. B. Alexan
Mr. W. M. Seabury, of counsel for

St. Louis, San Francisco
& Texas Railway Co.,
vs. Plaintiff in Error.
Maude Seale et al

857

Thi
argu
Cecil
of c

the plaintiff in error, and by Mr. J. H. Wood, of counsel for the defendants in error.

304 Etta L. Sanford et al., vs. Appellants, Santiago Ainsa, Administrator, etc. This cause was argued by Mr. William C. Prentiss, of counsel for the appellants, and submitted on a printed argument by Mrs. Sarah N. Sorin, of counsel for the appellee.

290. Stanley Francis. vs Petitioner, J. Hector McNeal, Trustee, etc. The argument of this cause was commenced by Mr. Charles L. Frailey, of counsel for the petitioner

Proclamation being made, the Court is ad-

Tuesday, May 6th. 1913

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mrs. Ellen Spencer Mussey, it is ordered that Rebecca L. Blaine, of York, State of Pennsylvania, and Fannie J. Peter and Helen E. Jamieson, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

306

On motion first made to the Court in this behalf by Mr. Charles L. Fraley, it is ordered that Frederic H. Raud, Jr., Esquire, of Miami, State of Florida, be admitted to

Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Davis, it is ordered that Raymond J. Abbaticchio, Esquire, of Fairmont, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Luther M. Walker, it is ordered that John S. Burchmore, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F Sprigg Perry, it is ordered that Charles P Macgill, Esquire, of Galveston, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Adams Express Co., Plaintiff in Error, vs. Abe Davidson, trading as Davidson & Son. In Error to the Supreme Court of the State of Pennsylvania.

It appearing to the Court that a stipulation of counsel for the respective parties herein to

of the State of Pennsylvania in this
been filed. Therefore, in pursuance o
ulation, it is now here ordered and
by this Court that the judgment of
Supreme Court in this cause be, and
is hereby, reversed with costs; and tha
be, and the same is hereby, remanded
Supreme Court for further proceedings

Per Mr. Chief Jus

Adams Express Co.,
vs. Plaintiff in Error
Daisy Wright

In Er
Supreme
of the S
Pennsy

It appearing to the Court that a stip
counsel for the respective parties here
verse the judgment of the Supreme C
of Pennsylvania in this cause has been
Therefore, in pursuance of said stipul
is now here ordered and adjudged by
Court that the judgment of the said
Court in this cause be, and the same
by reversed with costs; and that th
be, and the same is hereby, remanded
said Supreme Court for further proce

Per Mr. Chief Just

cause has
f said stip-
adjudged
the said
d the same
e this cause
to the said
r.
tice White

nor to the
e Court
State of
Error
culation of
ion to re-
Court of the
filed
lation, et
y this
t Supreme
ne is here-
ii cause
to the
edings.
tice White

309 Patrick Collins. vs Plaintiff in Error. The Commonwealth of Kentucky. 310 Thomas Malone. vs Plaintiff in Error The Commonwealth of Kentucky

On motion of Mr. J. M. Collins, of counsel for the plaintiffs in error, It is ordered by the Court that these cases be, and the same are hereby continued

573 The Boise Artesian Hot & Cold Water Co. vs Plaintiff in Error, Boise City 574 Boise City vs Plaintiff in Error The Boise Artesian Hot & Cold Water Co.

On motion of Mr. R. N. Johnson, of counsel for The Boise Artesian Hot & Cold Water Co., It is ordered by the Court that these cases be, and they are hereby, advanced, to be heard with case No. 313, as one case, per stipulation of counsel

240 Stanley Francis, vs. Petitioner, J. Hector McNeal, Trustee, &c.

The argument of this cause was continued by Mr. Charles L. Stanley of counsel for the petitioner and by Mr. George Wharton Pepper, of counsel for the respondent, and concluded

petitioner.

296 Fourche River Lumber Co., Pl
vs. Plaintiff in Error, the
Bryant Lumber Co. con
Mo

Waller, of counsel for the plaintiff
tioned by Mr. Charles C. Reid,
the defendant in error, and conclud
E. Hemingway, of counsel for the pl

297 St. Louis, Iron Mountain J
& Southern Railway Co., a
vs. Plaintiff in Error, D
E. L. Nesterly, Administrator, &c. co
fo

in error, and submitted on a printe
by Mr. Joseph M. Hill, James B
Mr. Henry L. Fitzhugh, of counsel
ant in error.

301 Susquehanna Coal Co., Ap
vs. Appellant, the
The Mayor and City Coun- co
cil of the City of South Amboy Mo
et al Sta
for

Proclamation being made, the Cour
until tomorrow at twelve o'clock

continued

...e argument of
...is cause was
...mmenced by
...r. Luther M.
..., in error; con-
...of counsel for
...ded by Mr. W.
...plaintiff in error.

This cause was
argued by Mr.
W. E. Heming-
way, of counsel
for the plaintiff,
and argument
Brizzolara and
for the defend-

...e argument of
...is cause was
...mmenced by
...r. Alan N.
...oug, of counsel
...the appellant

...t is adjourned

Wednesday, May 7th, 1913.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

314 Joseph Patsone, Plaintiff in Error, vs. The Commonwealth of Pennsylvania — It is ordered by the Court that this cause be, and the same is hereby, continued per stipulation

315 Henry D. Phillips, Appellant, vs. Walter L. Fisher, Secretary of the Interior — Appeal from the Court of Appeals of the District of Columbia

This cause having been called for hearing

the Court that the parties have failed
the transcript of the record. It is, therefo
pursuance of the tenth rule of this Cou
hereordered, adjudged and decreed by
Court that this appeal be, and the sa
hereby, dismissed with costs.

per Mr. Chief Justice

Fred Robertson et al.,
310 C.J. and S. Plaintiffs in Error,
Fred Howard.

This cau
submitte
consider
the Cou
record and printed arguments by Mr.
Blood Smith, of counsel for the plaintiff
error, and by Mr. T. F. Grover, of counse
the defendant in error.

Frank A. Munsell,
304 vs. Plaintiff in Error,
Wesley Webb, Administrator, &c.,

It is or
by the
that the
be, and
it is hereby, continued per stipulation

Susquehanna Coal Co.,
301 vs. Appellant,
The Mayor and Council
of the City of South Amboy
et al

The arg
this cause
tinued by
N. Strong, o
sel for the a
and by Mr.
ick M. S. Pearse, of counsel for the appell
and concluded by Mr. Alan N. Strong

counsel for the appellant.

311. The Rubber Tire Wheel Co. et al., vs. Petitioners, The Goodyear Tire & Rubber Co

These cause was argued by Mr. Frederick S. Fish, of counsel for the petitioners, and by Mr. H. A. Toulmin, of counsel for the respondent.

313 The Boise Artesian Hot & Cold Water Co., Ltd., vs. Plaintiff in Error, Boise City

573 The Boise Artesian Hot & Cold Water Co., Ltd. vs. Plaintiff in Error, Boise City

634. Boise City, vs. Plaintiff in Error, The Boise Artesian Hot & Cold Water Co., Ltd.

The argument of these cases was commenced by Mr. R. H. Johnson, of counsel for The Boise Artesian Hot & Cold Water C...

Proclamation being made, the Court is ad-

Thursday, May 5th, 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in their behalf by Mr. William A. Jones, it is ordered that O. D. Batchelor, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Daniel W. Baker,
326 & 327. vs. Plaintiff in Error.
Brainerd H. Warner.

It is ordered by the Court that these cases be, and the same are hereby, continued for elimination.

332

333

334

335

R. N. Downman,
vs. Plaintiff in Error,
The State of Texas.

It is ordered by the Court that this cause be, and the same is hereby, continued per stipulation.

The Missouri, Kansas & Texas Railway Co. of Texas,
vs. Plaintiff in Error,
Oliver Tidal.

On motion of Mr. Evans Browne in behalf of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, continued per stipulation.

Laura Wheeler et al.,
Executors, etc.,
vs Plaintiffs in Error,
William Sohmer, Comptroller of the State of New York

It is ordered by the Court that this cause be, and the same is hereby, continued per stipulation.

Railroad Commission of Louisiana et al.,
vs. Appellants,
Texas & Pacific Railway Co. et al

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. G. Pleasant and Mr. E. Howard McCaleb, of counsel for the appellants, and by Mr. Charles Payne Fenner, of counsel for the appellees.

336 James N. Wood, Appellant, vs. The United Globe Mines

It is ordered by the Court that this cause be, and the same is hereby, continued per stipulation.

313 The Boise Artesian Hot & Cold Water Co., Ltd., Plaintiff in Error, vs. Boise City

573 The Boise Artesian Hot & Cold Water Co., Ltd., Plaintiff in Error, vs. Boise City

639 Boise City, Plaintiff in Error, vs. The Boise Artesian Hot & Cold Water Co., Ltd.

The argument of these cases was continued by Mr. Richard N. Johnson, of counsel for the Boise Artesian Hot & Cold Water Co., and by Mr. Charles C. Cavanah and Mr. Charles F. Reddoch, of counsel for Boise City, and concluded by Mr. Richard N. Johnson, of counsel for the Boise Artesian Hot & Cold Water Co.

316 The District of Columbia, Plaintiff in Error, vs. James T. Petty et al.

This cause was argued by Mr. Edward N. Thomas, of counsel for the plaintiff in error, and by Mr. J. J. Darlington of counsel for the defendant in error.

543. Farmers & Mechanics Savings Bank of Minneapolis. vs. Plaintiff in Error, The State of Minnesota.

This cause was argued by Mr. William A. Lancaster, of counsel for the plaintiff in error, and by Mr. James Robertson and Mr. Lyndon A. Smith of counsel for the defendant in error.

Proclamation being made, the Court is ad-

Friday, May 9th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. N. P. Bryan, it is ordered that T. F. West, Esquire, of Tallahassee, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. N. Blount, it is ordered that James Ross, Esquire, of Manila, Philippine Islands, and Zach Lamar Cobb, Esquire, of El Paso, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James R. Mann, it is ordered that Samuel B. King, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. John B. Peterson, it is ordered that Lawrence Becker, Esquire, of Hammond State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph W. Breckenridge, it is ordered that Charles W. Farnham, Esquire, of St. Paul, State of Minnesota, and Arthur J. Vorys, Esquire, of Columbus, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James J. McLaughlin, it is ordered that Vincent N. Beckman, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

337 The Prudential Insurance Co. of America, vs. Petitioner, John J. Moore, Administrator, &c. It is ordered by the Court that this cause be, and the same is hereby, continued per stipulation.

338 William Rabb, vs. Plaintiff in Error, State of Louisiana It is ordered by the Court that this cause be, and the same is hereby, continued.

373 Henry C. Loeb, Trustee, &c., vs. Appellant, Germania Savings Bank & Trust Co. It is ordered by the Court that this cause be, and the same is hereby continued

376 The United States Fidelity & Guaranty Co., vs. Plaintiff in Error. The United States for the benefit of Frank P. Bartlett. It is ordered by the Court that this cause be, and the same is hereby, continued.

377 St. Louis Cumming Advertising Co., vs. Plaintiff in Error. It is ordered by the Court that this cause

is hereby, continued

378.	A. Webster Richards, vs. Washington Terminal Co.	Plaintiff in Error. It is ordered by the Court that this cause be, and the same is hereby continued for stipulation.
379	Elvira Fernandez Blanco et al., vs. Jose Antonio Fernandez y Perez et al.	Appellants, It is ordered by the Court that this cause be, and the same is hereby, continued
380.	Sturges & Burn Manufacturing Co., vs. Arthur Beauchamp.	Plaintiff in Error. It is ordered by the Court that this cause be, and the same is hereby, continued.
382	Clifford G. Ludwigh, as Trustee, &c., vs. The American Woolen Co. of New York et al.	Appellant, It is ordered by the Court that this cause be, and the same is hereby, continued.

325. The American National Bank of Nashville, Tenn., vs. N. L. Miller, Agent, etc. Plaintiff in Error.

This cause was argued by Mr. John M. Gaut, of counsel for the plaintiff in error, and by Mr. Sloss D. Baxter, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until Monday next at ten o'clock.

Monday, May 12th. 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. E. W. Bradford, it is ordered that C. A. Keller, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James J. McLoughlin, it is ordered that John G. Romer, Esquire, of Celina, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Kappler, it is ordered that Chester O. Swain, Esquire, of New York City, and S. N. King, Esquire, of Pawhuska, State of Oklahoma, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph J. Russell, it is ordered that Ernest A. Green, Esquire, of Jefferson City, and Jesse C. Sheppard, Esquire, of Doniphan, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. T. Denison, it is ordered that Robert L. Manning, Esquire, of Manchester, State of New Hampshire, and Henry D. Bull, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Harry J. Williams, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that Max N. Whitney, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John K. Graves, it is ordered that Robert M. Hughes, Jr., Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jack Beall, it is ordered that Walter P. Napier, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Lewis Publishing Co., Appellant, vs. Appellants, Frank Wyman and James L. Slice

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On

dered, adjudged and decreed by this C
the decree of the said United States C
of Appeals in this cause be, and the s
hereby, affirmed with costs; and that
be, and the same is hereby, remanded
trict Court of the United States for th
District of Missouri

Per Mr. Justice P

271. Douglas W. Bailey, Appellant, vs. Arthur Sanders. Appeal fro
States Cir
of Appeals
Ninth Cir

This cause came on to be heard on th
of the record from the United States
Court of Appeals for the Ninth Circ
was argued by counsel. On consideratio
It is now here ordered, adjudged and
this Court that the decree of the said
Circuit Court of Appeals in this cause
the same is hereby, affirmed with costs
this cause be, and the same is hereby,
to the District Court of the United Sta
the District of Saska.

Per Mr. Justice Van D

152. Consolidated Turnpike Co. et al., Plaintiffs in Error, vs. Norfolk & Ocean View Railway Co. On e
of th
for a
Circu

the arguments of counsel on submissi

It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Lurton.

(Mr. Justice Pitney concurs in the result.)

239. Helena Bugajewitz, Appellant, vs. Louis Adams, United States Inspector in charge of Immigration of Colorado; D. C. Bailey, U. S. Marshal, etc., et al. Appeal from the District Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

240. Anna Schwartz, Appellant, vs. Louis Adams, United States Inspector in charge of Immigration of Colorado, D. C. Bailey, U. S. Marshal, etc., et al. Appeal from the District Court of the United States for the District of Colorado.

transcript of the record from the District
of the United States for the District of C
and was argued by counsel. On consid
whereof. It is now here ordered, adjudge
decreed by this Court that the final or
the said District Court in this cause
the same is hereby affirmed with costs.

Per Mr Justice Holm

D.41.

Lilly Weiner,
vs. Appellant,
Louis Adams, United States
Inspector in charge of Immi-
gration of Colorado, D. C.
Bailey, U. S. Marshal, &c., et al.

Appeal f
District
of the U
States fo
District
rado.

This cause came on to be heard on the t
script of the record from the District Co
the United States for the District of Co
and was argued by counsel. On consid
whereof. It is now here ordered, adjudge
decreed by this Court that the final or
the said District Court in this cause be
the same is hereby affirmed with costs.

Per Mr Justice Holm

265	Norfolk & Western Railway Co. vs. Dixie Tobacco Co.	In Error to the Supreme Court of Appeals of the State of Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

247	John Quincy Adams, vs. The City of Milwaukee and Gerhard A. Bading	In Error to the Supreme Court of the State of Wisconsin

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

The Title Guaranty & Surety Co., Plaintiff in Error, vs. The United States to the use of Harlan & Hollingsworth. In Error to the Circuit Court of the United States for the Middle District of Pennsylvania.

530

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Pennsylvania. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Middle District of Pennsylvania.

Per Mr. Chief Justice White

Leon Cardenas Martinez, Plaintiff in Error, vs. The State of Texas et al. On consideration of the motion to advance this cause, It is now here

503

ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 14th

that day.

Per Mr. Chief Justice White

848. The United States, Plaintiff in Error, vs. Samuel E. Moist

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

919. The Eastern Extension, Australasia & China Telegraph Co., Appellant, vs. The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

1045 C. M. Summers, Petitioner. vs. The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and

assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

Thomas R. Marshall, as Governor of the State of Indiana, et al., vs. Plaintiffs in Error. John T. Dye. 840

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

John N. Adams, vs. Plaintiff in Error. James Russell, Warden, etc., et al. 1018

On consideration of the motion and stipulation to advance this cause for submission on printed briefs. It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

1057. Riley Conley Manufacturing Co., Petitioner vs. Nellie C. Aiken and Nellie C. Aiken, Jr. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1082. John M. Rhea, Petitioner vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Monday, May 12th. 191

1084. Joseph G. May et ae., vs. The United States. Petitioners,

On petit
certiorari
States C
Appeals for

On consideration of the petition
certiorari herein to the United Sta
Court of Appeals for the Eighth C
the argument of counsel thereupo
will in support of as against the s
now here ordered by this Court that
petition be, and the same is hereb

Per Mr. Chief

1088. Cornelius A. Davis et al., vs. Smokeless Fuel Co. Petitioners,

On peti
of certio
United S
Court o

the Second Circuit.

On consideration of the petition f
certiorari herein to the United Sta
Court of Appeals for the Second C
of the argument of counsel thereup
well in support of as against the s
now here ordered by this Court th
petition be, and the same is hereb

Per Mr. Chi

1089.	N. G. Hastings and N. W. Brown, vs. W. D. Malone. Petitioners	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1092.	William A. Wright, Comptroller General of the State of Georgia, vs. Louisville & Nashville Railroad Co. and Atlantic Coast Line Railroad Co. Petitioner.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

1093. Cuno H. Rudolph, John A. Johnston and Chester Harding, Commissioners of the District of Columbia, Petitioners, vs. Lynchburg Investment Corporation and Holmes Central Realty Corporation

On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

1000 Julian Munsuri, Appellant, vs. C. O. Lord, Trustee for the Creditors of Sucesores de Jose Neranaiz & Co.

Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and

same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

1000 Julian Munsuri. vs. C. O. Lord, Trustee for the Creditors of Sucesores de Jose Hernaiz & Co. Appellant, On consideration of the suggestion of diminution of the record and motion for a writ of certiorari herein,

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

1000 Julian Munsuri, vs. C. O. Lord, Trustee for the Creditors of Sucesores de Jose Hernaiz & Co., Appellant, On consideration of the petition for a writ of certiorari herein to the District Court of the United States for Porto Rico, and of the argument of counsel thereupon had, as well in support of as against the same,

It is now here ordered by the Court that the said petition be, and the same is hereby, granted, the transcript of record heretofore filed to stand as a return to the writ, without prejudice to the right to supply any deficiency in the same, if needs be, by appropriate action.

Per Mr. Chief Justice White

1016 The United States. Petitioner
vs.
James B. Regan.

Mr. Assistant A
Attorney General
ter of counsel fo
petitioner, subm
to the consideration of the Court a motio
advance this cause.

1107 The United States. Petitioner,
vs.
Lexington Mine & Ele-
vator Co.

The petition for
of certiorari her
was submitted
the consideratio
the Court by M
Assistant to the Attorney General Fowler,
Attorney General McReynolds and Mr. A
ant Attorney General Hakins in support o
same.

869 Louie Savart. Appellant,
vs.
Samuel W. Backus, Com-
missioner of Immigration
at the Port of San Francisco.

Appeal from
District Court
United State
the Northern
of Californ

This cause having been called to the atten
of the Court by Mr. Corry M. Stadden, of
counsel for the appellant, and he having m
the Court to dismiss this appeal, Therefor
pursuance of said motion, it is now hereb
dered, adjudged and decreed by this Cou
that this appeal be, and the same is here
dismissed with costs. Per Mr. Chief Jus

The Michigan Trust Co., Petitioner.
vs.
Edward P. Ferry.
100 & 201

On motion of Mr. George Sutherland of counsel for the respondent, It is ordered by the Court that the mandates in these cases be stayed until June 1.

The Mechanics & Metals National Bank of the City of New York, Appellant.
vs.
Irving L. Ernst et al.
955.

Mr. Meyer Cohen in behalf of counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause.

Ex parte: In the matter of Mrs. Wilbur R. Force et al., Petitioners.
Original

Mr. S. N. King, of counsel for the petitioners submitted to the consideration of the Court a motion for leave to file a petition for writ of mandamus and certiorari herein.

Pacific Creosoting Co., Plaintiff in Error,
vs.
The United States.
1071.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. E. Humphrey in behalf of Mr. George E. de Steiguer in support of

General Atkins in opposition thereto.

1090. American Street Flushing Machine Co., vs. St. Louis Street Flushing Machine Co., et al. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Clifton V. Edwards in support of the same.

1105. Detroit Fire & Marine Insurance Co., et al., vs. Federal Insurance Co. et al. Petitioners. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank S. Masten, Mr. F. N. Loanfield, and Mr. Harry D. Goulder in support of the same, and by Mr. N. A. Kelley in opposition thereto.

124. Clarence W. Barron, vs. John W. McKinnon, Shareholders' Agent of the National Bank of North America in New York. Plaintiff in Error. In Error to the United States Circuit Court of Appeals for the First Circuit.

This cause having been called to the attention of the Court by Mr. Evans Browne, in behalf of counsel, and it appearing to the Court that a stipulation of counsel for the respective parties

to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed without costs to either party.

Per Mr. Chief Justice White.

1104. Union Steamboat Co., Petitioner. vs. The Administrators of the Estates of Walter Chafin, deceased, et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Evans Browne in behalf of Mr. A. B. Brown, Mr. Frank N. Scott, Mr. Edgar A. Bancroft, Mr. John E. MacLeish and Mr. W. O. Johnson in support of the same, and by Mr. Samuel B. King in opposition thereto.

1025. William E. Pearson, Petitioner. vs. William J. Harris The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. John M. Gearin in support of the same.

270. George W. Cureton. vs. The State of Georgia. Plaintiff in Error's. In Error to the Court of Appeals of the State of Georgia

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

271. George W. Cureton. vs. The State of Georgia. Plaintiff in Error. In Error to the Court of Appeals of the State of Georgia.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

672. Paris & Great Northern Railroad Co., vs. Mrs. Georgia Boston et al. Plaintiff in Error. The motion to dismiss in this cause was submitted to the con-

Court on the record and printed arguments, by Mr. Fred B. Rhodes, of counsel for the defendants in error, in support of the same, and by Mr. Edgar Wright and Mr. W. F. Evans, of counsel for the plaintiff in error in opposition thereto.

1048. John A. Adams, Plaintiff in Error, vs. James Russell, Warden, etc., et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Fred A. Baker, of counsel for the plaintiff in error, and by Mr. Grant Fellows, of counsel for the defendants in error.

864 Louis Sweet, Appellant, vs. Samuel W. Backus, Commissioner of Immigration at the Port of San Francisco. It is ordered by the Court that leave be, and the same is hereby granted, the Clerk to issue the mandate in this cause.

Proclamation being made, the Court is ad-

Monday, May 26th. 1913.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Willis Van Devanter Justices
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Hal H. Smith, it is ordered that N. Monroe Dunham and Carl E. Mapes, Esquires, of Grand Rapids, State of Michigan, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General McReynolds it is ordered that Fred Robertson, Esquire, of Atwood, and Richard J. Higgins, Esquire of Kansas City, State of Kansas, be admitted to practice as attorneys and counsellors

On motion first made to the Court in this behalf by Mr. Claude A. Swanson, it is ordered that John Winston Reade, Esquire, of Newport News, and Horatio F. Minter, Esquire, of Roanoke, State of Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur B. Hayes, it is ordered that George W. Ramsey, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Clark, it is ordered that Gordon R. Broome, Esquire, of West Palm Beach, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard J. Quigley, it is ordered that Samuel J. Kalzberg, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. J. B. Church, it is ordered that Harry L. Duncan, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. W. Bradford, it is ordered that Webster S. Ruckman, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joe T. Robinson, it is ordered that Thomas B. Pryor, Esquire, of Fort Smith, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Webster Ballinger, it is ordered that Henry N. Howard, Esquire, of Phoenix State of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Bunn, it is ordered that James E. Babb, Esquire, of Lewiston,

an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Francis Norton, it is ordered that Octave A. Bigonesse, Esquire, of the District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Emmett M. Bagley, Esquire, of Salt Lake City, State of Utah, and Thomas Brady, Jr., Esquire, of Brookhaven, State of Mississippi, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Darlington, it is ordered that William Bradfield, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

191 William H. Dill, Plaintiff in Error: vs. William H. Ebey, Receiver of the Citizens Bank & Trust Co. — In Error to the Supreme Court of the State of Oklahoma

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Pitney.

274 Jerome E. Morse, Appellant, vs. The United States. — Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Pitney

The Citizens National Bank of Roswell, New Mexico, and The United States Fidelity & Guaranty Co. of Baltimore, Maryland,
vs
George N. Dawson and Ivy Ella Owens.

Appeal from the Supreme Court of the Territory of New Mexico.

351

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar decrees bear, in the courts of the State of New Mexico. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of New Mexico.

Per Mr. Justice Pitney

The United States,
vs.
Bob Wright.

In Error to the District Court of the United States for the Eastern District of Oklahoma.

918. Plaintiff in Error,

transcript of the record from the District Court of the United States for the Eastern District of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Pitney.

943. The United States. Plaintiff in Error. vs. Alfred Shelley. In Error to the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Pitney.

211. The Texas & Pacific Railway Co., Plaintiff in Error, vs. C. C. Slaton. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs and ten per cent. damages in addition to interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Texas; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Texas.

per Mr. Justice Lamar.

190. John C. Mackay, vs. Uinta Development Co. On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Eighth Circuit

tion whereof. It is the opinion of this C
that the Fourth question certified mus
answered in the affirmative. Whereu
is now here ordered by this Court th
so certified to the said United State
Court of Appeals.

Per Mr. Justice La

157. W. W. Degge, The Wel-
lington Association, The
Wellington Development
Co., and The Wellington
Investment Co.,
vs. Plaintiffs in Error.
Frank H. Hitchcock, as
Postmaster General of the
United States.

In Erro
Court o
of the
of Colu

This cause came on to be heard on
script of the record from the Court of
of the District of Columbia, and was
by counsel. On consideration where
now here ordered and adjudged by
Court that the judgment of the said
of Appeals in this cause be, and the
is hereby, affirmed with costs, nunc
as of January 31, 1913.

Per Mr. Justice

Myllon Maury, Thomas E. Irvine, O. J. Watrous, John A. Webber et al., Plaintiffs in Error, vs. Frank H. Hitchcock, as Postmaster General of the United States. In Error to the Court of Appeals of the District of Columbia.

155.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs, nunc pro tunc as of January 31, 1913.

Per Mr. Justice Lamar.

First National Bank of Claremore, Plaintiff in Error, vs. C. M. Keys and Hugh Miller, a partnership under the name of C. M. Keys & Co., et al. In Error to the Supreme Court of the State of Oklahoma.

263

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued

is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

First National Bank of Vinita, Plaintiff in Error, vs. C. M. Keys and Hugh Mills, a partnership under the name of C. M. Keys & Co., et al. — In Error to the Supreme Court of the State of Oklahoma.

264.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Lamar.

Citizens Bank of Pryor Creek, Plaintiff in Error, vs. C. M. Keys and Hugh Mills, partners under the name of C. M. Keys & Co., et al. — In Error to the Supreme Court of the State of Oklahoma.

302.

transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

303. J. C. Hogan, Plaintiff in Error, vs. C. M. Keys and Hugh Mills, partners under the name of C. M. Keys & Co., et al. In Error to the Supreme Court of the State of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

944. Charles H. Swigart, E. McCulloh and R. K. Tiffany, vs. D. P. Baker. Appellants, Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and the decree of the District Court of the United States for the Eastern District of Washington be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the said District Court.

Per Mr. Justice Lamar.

837.

695. Martin Pederson, vs. Plaintiff in Error, Delaware, Lackawanna & Western Railroad Co. In Error to the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third

sideration whereof. It is now here ordered
ed adjudged by this Court that the judg
ent of the said United States Circuit Court
f Appeals and the judgment of the District
ourt of the United States for the Eastern
District of Pennsylvania in this cause be, and
he same are hereby, reversed with costs; and
hat this cause be, and the same is hereby,
manded to the District Court of the United
tates for the Eastern District of Pennsylvania
or further proceedings in conformity with
he opinion of this Court.

Per Mr. Justice Van Devanter.

Dissenting:
Mr. Justice Lamar
Mr. Justice Holmes
Mr. Justice Burton

St Louis, San Francisco & Texas Railway Co., Plaintiff in Error, vs. Maude Beale, T. H. Beale and J. E. Beale. } In Error to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration where-of, It is now here ordered and adjudged

said Court of Civil Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Civil Appeals for further proceedings not inconsistent with the opinion of this Court, but without prejudice to such rights as a personal representative of the deceased may have.

Per Mr. Justice Van Devanter.

Dissenting:
Mr. Justice Lamar.

153. Norfolk & Western Railway Co., Plaintiff in Error, vs. D. E. Earnest. In Error to the Circuit Court of the United States for the Western District of Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Virginia.

It is further ordered that this cause be, and the same is hereby, remanded to the District

District of Virginia.

Per Mr. Justice Van Devanter.

642. The City and County of Denver et al. (Petitioners) vs. The New York Trust Co. et al. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals and the decree of the Circuit Court of the United States for the District of Colorado in this cause be, and the same are hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Colorado with a direction to dismiss the bill on the merits.

Per Mr. Justice Van Devanter.

643. The City and County of Denver et al., (Petitioners) vs. The Denver Union Water Co. et al. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals and the decree of the Circuit Court of the United States for the District of Colorado in this cause be, and the same are hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Colorado with a direction to dismiss the cross-bill on the merits.

Per Mr. Justice Van Devanter

783 The United States, Plaintiff in Error vs. Chandler-Dunbar Water Power Co. et al.
784 The Chandler Dunbar Water Power Co., Plaintiff in Error vs. The United States.
785 St. Mary's Power Co., Plaintiff in Error vs. The United States.
786 Clarence M. Brown, Sole Receiver of the Michigan Lake Superior Power Co., Plaintiff in Error vs. The United States.

In Error to the District Court of the United States for the Western District of Michigan

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Michigan, on separate writs of error, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the Circuit Court of the United States for the Western District of Michigan in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with a direction to enter a judgment in accordance with the opinion of this Court.

Per Mr. Justice Lurton

272. The Lewis Blue Point Oyster Cultivation Co., Plaintiff in Error, vs. J. Marvin Briggs

In Error to the Supreme Court of the State of New York

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lurton.

Charles Dummer Barry,
Frederick Warder Lincoln
and John Rice Bradlee,
Surviving Partners of Henry
W. Peabody & Co.,
170 vs. Appellants,
The United States.

Appeal
from the
Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause be, and the same is hereby, affirmed

Per Mr. Justice Lurton.

The Chicago, Rock Island
& Pacific Railway Co. and
Edward Johnson,
208. vs. Plaintiffs in Error
Albert M. Dowell.

In Error to
the Supreme
Court of the
State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. Per Mr. Justice

Jean L. Shelton and Anna Gertrude Shelton and Robert Shiels Shelton, by their guardian, Mary L. Fairchild.

180. vs. Appellants, Appeal from the Court of Appeals of the District of Columbia.

Frank B. King, William N. Saunders and George W White.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lurton.

James E. Gorman, Appeal from the

243. vs. Appellant, United States Cir-

Charles E. Littlefield, cuit Court of Ap-

Trustee in Bankruptcy of peals for the

Albert O. Brown et al., Second Circuit.

copartners, trading under the name of A. O. Brown & Co.

This cause came on to be heard on the tran-

script of the record from the United States

Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Day.

215. Charles E. Barrett, Plaintiff in Error, vs. The State of Indiana. In Error to the Supreme Court of the State of Indiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

Monday, May 26th, 1913, continued

501 Big Vein Coal Co. of West Virginia, vs. Benjamin F. Read. Plaintiff in Error, } In Error to the Circuit Court of the United States for the Northern District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be and the same is hereby, remanded to the District Court of the United States for the Northern District of West Virginia.

Per Mr. Justice Day.

951. Bauer & Cie. and The Bauer Chemical Co., vs. James O'Donnell. On a certificate from the Court of Appeals of the District of Columbia.

This cause came on to be heard on a certificate from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative.

Court that it be so certified to the said Court of Appeals.

Per Mr. Justice Day.

Dissenting:
Mr. Justice McKenna
Mr. Justice Holmes
Mr. Justice Lurton
Mr. Justice Van Devanter.

1047. Detroit United Railway. vs. City of Detroit. Plaintiff in Error. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

285. Roy Brooks. vs. Central Sainte Jeanne. Plaintiff in Error. In Error to the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court

argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

290 Stanley Francis, Petitioner. vs. J. Hector McNeal, Trustee in Bankruptcy of the Provident Investment Bureau.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Pennsylvania

Per Mr. Justice Holmes

297.	St. Louis, Iron Mountain & Southern Railway Co., vs. Plaintiff in Error, E. L. Nesterly, Administrator of the Estate of W. B. Nesterly, deceased.	In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes.

504.	Etta L. Sanford, Arno S. McKee, Fred M. McKee, her husband, et al., vs. Appellants, Santiago Arisa, Administrator with Will annexed of the Estate of Frank Ely, deceased.	Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the

Court of the Territory of Arizona, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of Arizona. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona

Per Mr. Justice Holmes.

William Scott Wood,
Miriam Berry Wood,
Cornelia Wood Hume,
and Mary Scott Wood,
Plaintiffs in Error.
vs.
Abram M. Chestorough and
Fremont B. Chestorough et al.

In Error to the Supreme Court of the State of Mississippi.

257.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdic-

Ex parte: In the matter of J. Harry Spencer. Petitioner.
16. Original.

On consideration of the petition for a writ of habeas corpus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged, and that said petition be, and the same is hereby, denied.

Per Mr. Justice McKenna

Ex parte, In the matter of Albert L. Scholl. Petitioner.
17. Original

On consideration of the petition for a writ of habeas corpus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged, and that said petition be, and the same is hereby, denied.

Per Mr. Justice McKenna

Ex parte: In the matter of Frank L. Moyer. Petitioner
18. Original

On consideration of the petition for a writ of habeas corpus herein, of the return to the rule to show cause, and of the arguments of counsel thereupon

that the rule to show cause be discharged, and that said petition be, and the same is hereby, denied.

Per Mr. Justice McKenna

301. Susquehanna Coal Co., Appellant, vs. Mayor and Council of the City of South Amboy et al. Appeal from the Circuit Court of the United States for the District of New Jersey

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of New Jersey.

Per Mr Justice McKenna

Chicago Dock & Canal Co., vs. Katherine A. Fraley, as Administratrix of the Estate of Gertrude V. Claffy, deceased

286 Plaintiff in Error.

In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

The Southern Pacific Railroad Co., vs. The United States.

267 Appellant.

Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be modified

allowing interest prior to January 28th. 1903 and, as so modified, be, and the same is hereby, affirmed; and that the cause be, and the same is hereby remanded to the District Court of the United States for the Northern District of California

Per Mr Chief Justice White

1032. William Cramp & Sons Ship & Engine Building Co. vs International Curtis Marine Turbine Co., and Curtis Marine Turbine Co. of the United States. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted. It is further ordered that the transcript of record filed with said petition stand as a return to the writ of certiorari.

Per Mr. Chief Justice White

1032

William Cramp & Sons Ships & Engine Building Co., Petitioner, vs. International Curtis Marine Turbine Co., and Curtis Marine Turbine Co. of the United States.

On writ certiora the Uni States Court o peals fo Third C

This cause came on to be heard on the script of the record from the United S Circuit Court of Appeals for the Third suit, and was argued by counsel. On sideration whereof, It is now here order adjudged and decreed by this Court the decree of the said United States C Court of Appeals in this cause be, and same is hereby, reversed with costs; an that this cause be, and the same is he remanded to the said Circuit Court of peals with directions for further proce in conformity with the opinion of this C

Per Mr. Chief Justice W

287

The Merchants National Bank of the City of New York and The Banque Commerciale de Bale, Appellants, vs. Lawrence E. Sexton, as Trustee in Bankruptcy of Kessler & Co.

Appeal fr the Unite Circuit C of Appea the Seco Circu

transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Chief Justice White.

955. The Mechanics & Metals National Bank of the City of New York, vs. Irving L. Ernst et al, Appellant,

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 14th next, with cases Nos. 974 and 975.

Per Mr. Chief Justice White.

1046 The United States. vs. James B. Regan, Petitioner.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be,

the cause assigned for argument on the
October 14th next, after the cases here
assigned for that day.

Per Mr. Chief Justice

Ex parte: In the matter
of Mrs. Wilbur R. Force,
Edgar J. Lewis et al.,
Petitioners.

Original.

On consid
tion of the
tion for le
to file a p
tion for w

of mandamus and certiorari herein,
of the argument of counsel in support
the same, It is now here ordered by t
Court that the said motion be, and
same is hereby, denied.

Per Mr. Chief Justice

The United States of
America,
Petitioner,
v.
Lexington Mill & Elevator
Co.

1107

Circuit.

On petition
writ of cert
to the Unit
States Cir
Court of Ap
for the Eig

On consideration of the petition for
writ of certiorari herein to the United S
Circuit Court of Appeals for the Eigh
Circuit, and of the argument of counse
thereupon had, as well in support of
against the same, It is now here orde
by this Court that the said petition be

the same is hereby granted.

Per Mr. Chief Justice White.

949. Eugene Mosier. Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1025. William E. Pearson. Petitioner. vs. William J. Harris On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1071. Pacific Creosoting Co., Plaintiff in Error, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. 1108

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1104 Union Steamboat Co., Petitioner. vs. The Administrators of the Estates of Walter Chafin, deceased, Jacob Cherry, deceased, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. 672.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Detroit Fire & Marine Insurance Co., et al., Petitioners, vs. Federal Insurance Co. et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Paris & Great Northern Railroad Co., Plaintiff in Error, vs. Mrs. Georgia Boston and Albert Morris Boston, and Peter Cooper Boston, minors presented by Mrs. Georgia Boston as next friend.

It is ordered by the Court that this cause be placed on the summary docket. &c.

Per Mr. Chief Justice White.

The Chief Justice announced that the Court will adjourn today until Monday, June 9, when petitions for writs of certiorari and motions will be received. No petitions for writs of certiorari or motions,

will be received after that day. The Court
then adjourn until Saturday, June 14, on
which day it will adjourn for the term, u
it may be deemed best for the purposes of
business then already in the hands of the
under advisement, to fix another and later
of final adjournment.

942. Missouri, Kansas & Texas Railway Co., et al., vs. The United States. Petitioners.

Mr. Attorney G
eral McReyn
of counsel for t
respondent, su
mitted to the c

sideration of the Court a motion to advance
cause.

1058 The Eastern States Retail Lumber Dealers' Association et al., vs. The United States. Appellants.

Mr. Attorney Ge
eral McReyno
of counsel for th
Appellee, submit
to the considera
tion of the Cour

a motion to advance this cause.

1137. Houston East & West Texas Railway Co., et al., vs. The United States. Appellants.

Mr. Attorney Ge
eral McReynol
in behalf of cou
sel for the appe
lants, submitted
to the consideration of the Court a motion
to advance this cause.

1138. The Texas & Pacific Railway Co. et al. vs. The United States et al. Appellants, Mr. Attorney General McReynolds in behalf of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

1142. The Kansas City Southern Railway Co., vs. The United States et al. Appellant, Mr. Attorney General McReynolds of counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause.

989. Bonita Diaz de Noya, vs. Samuel W. Backus, Commissioner of Immigration Appellant, Appeal from the District Court of the United States for the Northern District of California

This cause having been called to the attention of the Court by Mr. Corry M. Sudden, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs

1101. Arthur Greey, Trustee, etc., vs Appellant, John E. Dockendorff

The mot affirm o this cause summary was submitted to the consideration of Court on printed arguments by Mr. J N Ralston in behalf of Mr. Julius Lem of counsel for the appellee, in support of t tion, and by Mr. Daniel T. Hays of co for the appellant, in opposition thereto.

1145. Samuel Gompers et al., vs Petitioners The United States

The petitions writ of certio and for writ error therein submitted to the consideration of the C by Mr. Jackson N. Ralston. Mr. F. L. S Mr. W. E. Richardson and Mr. Allen Parker, of counsel for the petitioners. Th lition for a cross-writ of certiorari wa mitted to the consideration of the Cou Mr. J. J. Darlington, Mr Daniel Dav Mr. Clarence R. Wilson, and Mr Jam Beck in behalf of the justices of the S Court of the District of Columbia.

1106. Julius Marquese, vs. Petitioner. Hartford Fire Insurance Co.

The petition for writ of certiora herein was sub to the consider

printed arguments by Mr. Frederic S. Monk in support of the same, and by Mr. William M. Trine in opposition thereto.

665 William Blackwell vs. The Southern Pacific Co. On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit

This cause having been called to the attention of the Court by Mr. Edward M. Cleary, of counsel for William Blackwell, and he having moved the Court to strike this cause from the docket. Therefore, in pursuance of said motion, It is now here ordered by this Court that this cause be, and the same is hereby, stricken from the docket.

Per Mr. Chief Justice White.

990 The United States Telephone Co., Petitioners, vs. Central Union Telephone Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. D. J. Cable and Mr. N. M. Dougherty in support of the same, and Mr. John N. Doyle and Mr. Murray Seasongood in opposition thereto.

1103. Mayor and Aldermen of the City of Vicksburg, Appellants vs. W. A. Henson, Receiver, etc. The motion was submitted on printed arguments by Mr. Harry Peyton on behalf of Mr. J. C. Catchings, Mr. George and Mr O W. Catchings, of counsel for the appellants, in support of the motion, and by Mr. Hannis Taylor, Mr. J. C. Bryson, and Mr. J. Nirsh, of counsel for the appellee, in opposition thereto.

1111. C. E. Dolbear, Petitioner. vs. The Foreign Mines Development Co. The petition for writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Simon Lyon and Mr. R. B. N. Lyon, in support of the same and Mr. Charles W. Bluck and Mr. Edmund N. Lynne in opposition thereto.

1121. St. Louis Southwestern Railway Co. of Texas, Petitioner. vs. The United States. The petition for writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Edward A. Haid and Mr. E. B. Perkins in support of the same, and Mr. Attorney General [illegible]

nolds and Mr. Assistant to the Attorney General Fowler in opposition thereto.

1110 Widow W. W. Shipp. vs The Texas & Pacific Railway Co. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Edmund Burke in behalf of Mr. Charles Lougne in support of the same.

Original. Ex parte: In the matter of the City of Louisville. Petitioner. Mr. Pendleton Beckley, of counsel for the Petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus in this cause.

Original. Ex parte: In the matter of A. Englehard & Sons Co., Petitioner. Mr. C. B. Blakey and Mr. Huston Dunn, of counsel for the Petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus in this cause.

989. Bonita Diaz de Moya vs Samuel W. Backus, Com. Appellant. It is ordered by the Court that leave be, and the same is hereby granted the Clerk

1141. The Marion Coal Co., Petitioner. vs. John W. Peale.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Henry N. Glassie in support of the same.

1142. North German Lloyd, Claimant, &c., Petitioner, vs. The Hamburg American Line et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Joseph Larocque in support of the same, and by Mr. C. C. Burlingham in opposition thereto.

Ex parte: In the matter of Edward N. Patterson. Original Petitioner.

Mr. George Whitefield Bells, Jr., of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus in this cause.

8, Original. State of Wyoming, Complainant. vs. State of Colorado et al.

Mr. Douglas A. Preston, of counsel for the complainant, submitted to the consideration of the Court a motion and stipulation for the abbreviation of

1114.

9. Or

995.

se and as to taking testimony in this cause.

Susan C. Higgins. Petitioner. vs. Hervey E. Eaton. Executor, e. The petition for a writ of certiorari herein was submitted to the consideration of the Court

w printed arguments by Mr. Frederic D. McKenney in behalf of Mr. A. F. Freeman, in support of the same, and by Mr. Edwin A. Ruley in opposition thereto.

Ex parte: In the matter of America Capo. Petitioner. Mr. Frederic D. McKenney, of counsel for the petitioner. submitted to the

onsideration of the Court a motion to substitute Hon. Peter J. Hamilton Judge of the United States District Court for Porto Rico, in place of Paul Charlton, as the respondent herein.

The Wyandotte County Gas Co. Plaintiff in Error vs. The State of Kansas ex rel John Marshall, Attorney, etc. The motion to dismiss or affirm or advance was submitted to the consideration of the

Court on printed arguments by Mr. Richard J. Higgins, of counsel for the defendant in error, in support of the motion, and by Mr. J. W. Dana, of counsel for the plaintiff in error, in opposition

709. Bluefields Steamship Co. Ltd., et al., vs. Appellants, Frederick M. Steele et al.

The motion ... missi or affi... this cause ... milled to th... sideration ... Court on the record and printed argum... by Mr. Charles L. Frailey in behalf of ... William Lee Hughes, Mr. John G. Johns... Mr. Alexander Simpson, Jr., of counsel fo... appellees in support of the motion, and by... Charles Payne Fenner and Mr. Edgar ... Farrer, of counsel for the appellants in op... thereto.

1136. Newport News Shipbuilding & Dry Dock Co., Petitioner. vs. The Steamboat "Saratoga" &c.

The petitio... a writ of c... rari here... submitted ... consideral... the Court on printed arguments by Mr. ... Park, Mr. James Emerson Carpenter an... Henry E. Mattison in support of the pe... and by Mr. C. C. Burlingham, in opposi... thereto.

1112. William B. Holden, Trustee, etc., Petitioner vs. J. A. Haring, Bankrupt.

The petition f... writ of certior... herein was ... to the consider... of the Court o...

Benn M. Corwin in support of the ...

1096. The Atchison, Topeka & Santa Fe Railway Co., Appellant, vs. The United States et al.

Mr. Evans Browne, in behalf of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

853. Grand Trunk Railway Co. of Canada et al., Appellants, vs. The Michigan Railroad Commission et al.

Mr. Nat. H. Emich and Mr. Grant Fellows, of counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause.

1123. Julius N. Blackburn, Petitioner. vs. Ellsworth C. Irvine, Receiver, etc.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Daniel B. Henderson and Mr. Edwin W. Emich in support of the same, and by Mr. Thomas Patterson and Mr. M. W. Acheson, Jr., in opposition thereto.

826 Adams Express Co. vs. Chamberlin-Johnson-DuBose Co. — Plaintiff in Error, — In Error to the Supreme Court of the State of Georgia

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief-Justice White

827 Adams Express Co. vs. Chamberlin-Johnson-DuBose Co. — Plaintiff in Error, — In Error to the Supreme Court of the State of Georgia

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief-Justice White

Proclamation being made, the Court is adjourned until

Monday, June 9th, 1913.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney, Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. F. V. S. Oliver, Jr., it is ordered that Samuel Ecker, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. N. Ralston, it is ordered that L. D. Jennings, Esquire, of Sumter, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in the behalf by Mr. J. J. Darlington, it is ordered that William Bilton Moore, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in behalf by Mr. Luke Lea, it is ordered that William E. Baird, Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and was sworn accordingly.

On motion first made to the Court in the behalf by Mr Clifford V. Church, it is ordered that Henry N. Dinneen and Arthur L. Johnson, Esquires, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in the behalf by Mr. William N. Dickson, it is ordered that Adrian C. Ellis, Jr., Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in the

that Mahlon E. Wilson, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. W. Gregg, it is ordered that Edward D. May, Esquire, of Galveston, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julius Kahn, it is ordered that Arthur Mourse Free, Esquire, of San Jose, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. L. Jeffords, it is ordered that Everett F. Eugleby, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Thomas C. Corrigan, Esquire, of Worcester, State of Massachusetts, be admitted to prac-

Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William T. S. Curtis, it is ordered that Frank R. Beaver, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. T. Denison, it is ordered that Gervase Green, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Garland Dupre, it is ordered that Minor Moore, Esquire, of Los Angeles, State of California, and Walter Elder, Esquire, of Monroe, State of Louisiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that Richard P. Henshall, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and

Monday, June 9th. 1913. continued

accordingly.

On motion first made to the Court in this be
half by Mr. John D. Works, it is ordered
that Harry L. Dearing, and Lee Riddle, Es
quires, of Los Angeles, State of California, be
admitted to practice as attorneys and coun
sellors of this Court, and they were sworn ac
cordingly.

On motion first made to the Court in this
behalf by Mr. S. M. Stockslager, it is ordered
that Robert J. Traewell, Esquire, of Wash-
ington, District of Columbia, be admitted to
practice as an Attorney and Counsellor of this
Court, and he was sworn accordingly.

On motion first made to the Court in this
behalf by Mr. Carl E. Mapes, it is ordered
that Arthur Van Duren, Esquire, of Holland,
State of Michigan, be admitted to practice as
an attorney and counsellor of this Court, and
he was sworn accordingly

On motion first made to the Court in this
behalf by Mr. James M. Graham, it is ordered
that Charles N. Burton, Esquire, of Edwards-
ville, State of Illinois, be admitted to practice
as an attorney and counsellor of this Court,
and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Kincheloe, it is ordered that Adam R. Gard, Esquire, of Marshall, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

976. Fremont Weeks, vs. Plaintiff in Error; The United States. Mr. Assistant to the Attorney General Fowler, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

1107. The United States, vs. Petitioner. Lexington Mill & Elevator Co. Mr. Assistant to the Attorney General Fowler, of counsel for the petitioner, submitted to the consideration of the Court a motion to advance this cause.

1163. The United States, vs. Plaintiff in Error; Eugene Buchanan. Mr. Assistant to the Attorney General Fowler, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

1166.

Monday, June 9th, 1913. continued

Wilson Coal Co.,
vs. Appellant,
The United States et al.

Mr. Assistant to the Attorney General, Fowler, of counsel for the appellees.

having filed in open court the following certificate, to wit:

"United States Circuit Court of Appeals
for the Ninth Circuit.

I, F. D. Monckton, Clerk of the United States Circuit Court of Appeals for the Ninth Circuit, do hereby certify that in a certain cause pending in said Court, wherein The Wilson Coal Company, a Corporation, was Appellant, and The United States of America, Watson Allen and Jane Doe Allen, His Wife, Minnie Marie Wilson, Helen Pack Wilson, Virgil K. Wilson, and Malvina Benton Wilson His Wife, Sterling Coal Company, A. Corporation, McNardo Garcia and Charles McGinnis, Copartners, Doing Business as Garcia & McGinnis, were Appellees, a final decree was rendered by said United States Circuit Court of Appeals on the third day of July, A. D. 1911, in favor of the said appellees and against the said appellant, and that on the first day of July, A. D. 1912, said appellant prayed an appeal to the Supreme Court of the United States, which was allowed.

In testimony whereof, I hereunto subscribe my name

Seal

United States Cir
of Appeals, at San
cisco, California.
day of May, A. D.
F. D. Mon
Cl

moved the Court to docket and dis
cause pursuant to the ninth rule. A
pearing to the Court that the appell
failed to have its cause filed and
conformity with the rules of this Cou
now here ordered, adjudged and dec
this Court that this appeal from
States Circuit Court of Appeals for
Circuit, be, and the same is hereby,
and dismissed; and that this cause
the same is hereby remanded to the
States Circuit Court of Appeals to
ceeded in according to law and justi

Per Mr. Chief Jus

1167. The Wilson Coal Co., Appellant
vs.
The United States et al.

Mr. Assis
the Attorne
Fowler, of
for the app

having filed in open court the follow
seals, to wit:

"United States Circuit Court of A
For the Ninth Circuit.

I, F. D. Monckton, Clerk of the

Ninth Circuit, do hereby certify that in a certain cause pending in said Court wherein The Watson Coal Company, A Corporation was Appellant, and The United States of America, Watson Allen and Jane Doe Allen, His Wife, Helen Pack Wilson, and The Sterling Coal Company, A Corporation, were Appellees, a final decree was rendered by said United States Circuit Court of Appeals on the third day of July, A. D. 1911, in favor of the said appellees, and against the said appellant, and that on the first day of July A. D. 1912, said Appellant prayed an appeal to the Supreme Court of the United States, which was allowed.

In testimony whereof I have unto subscribe my name and affix the seal of said United States Circuit Court of Appeals, at San Francisco, California, this 24th day of May, A. D. 1913.

(Seal)

F. D. Monckton,
Clerk."

moved the Court to docket and dismiss this cause pursuant to the ninth rule. And it appearing to the Court that the appellant has failed to have its cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed, by this Court that this appeal from the United

Ninth Circuit be, and the same is hereby, a
cted and dismissed; and that the cause b
and the same is hereby remanded to the s
United States Circuit Court of Appeals to
proceeded in according to law and justice

Per Mr Chief Justice Wh

The Farmers Loan & Trust Co, Trustee,
1135. vs. Petitioner.
Frank W. Blair et al., Re-
ceivers, etc., et al.

The petition
a writ of cer
rari herein
submitted to
consideration
the Court on
printed arguments by Mr. Frederick G
Mr. Hinton E. Spalding and Mr. Edwa
N. Blanc in support of the same, and by
Mr. Henry M. Campbell, Mr Hal N. Sm
Mr. Henry E. Bodman and Mr. Robert
Walker in opposition thereto.

Margaret Alice Throck-
morton et al.,
1151 vs. Petitioners.
Samuel T. Ruggles, Trustee
et al.

The petition
for a writ of
certiorari h
ein was sub
mitted to th
consideration
of the Court on printed arguments by M
Milton Strasburger in behalf of Mr. Da
K. Watson, in support of the same, and
by Mr. Francis B. James in opposition
thereto.

Monday, June 9th, 1913. continued

971. Stratton's Independence, Ltd. vs. F. W. Howbert, Collector, &c. On motion of Mr. C. S. Thomas in that behalf, leave is hereby granted to file a brief herein as amicus curiae

1148 Silver King Coalition Mines Co., vs. Petitioner. Silver King Consolidated Mining Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William N. Dickson in support of the same, and by Mr. Edward B. Critchlow in opposition thereto

1134. Laura R. Cramer, vs. Petitioner. Lee M. Hurd, Executor, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Arthur A. Birney and Mr. Wharton E. Lester in support of the same, and by Mr. Richard A. Ford in opposition thereto.

1032. William Cramp & Sons Ship & Engine Building Co., vs. Petitioner. International Curtis Marine Turbine Co., et al. The motion for the immediate issuance of the mandate and as to costs in

submitted to the consideration of the Court on printed arguments by Mr. L. B. Bacon in behalf of Mr. Frederick P. Fish and Mr. Richard N. Dyer, of counsel for the respondents in support of the motion, and by Mr. C. V. Edwards, Mr. James R. Sheffield and Mr Samuel Dickson, of counsel for the petitioner in opposition thereto.

1155 The Star Rubber Co., Petitioner, vs. The Faultless Rubber Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. George W. Rea in support of the same.

15. James P. McGovern, Plaintiff in Error, vs. The City of New York. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Day.

Edmund S. Nash
Spencer P. Shotter et al.,
197. vs Petitioners,
The United States.

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Georgia for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Pitney.

The United States of America,
652. vs. Plaintiff in Error,
The Adams Express Co.

In Error to the District Court of the United States for the Southern District of Ohio

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Ohio, and was argued by coun-

sel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court. 316.

Per Mr. Justice Holmes.

273. Oscar Wilkinson and Thomas J. Kemp, Plaintiffs in Error, vs. Oscar A. M. McKimmie and Simon McKimmie. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs. 261.

Per Mr. Justice Pitney

Monday, June 9th, 1913. continued

District of Columbia, vs. Plaintiff in Error, James T. Petty; Charles W. Church et al., Executors of Charles B. Church, deceased; Jesse B. Wilson and George T. Dearing

In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney

Lem Woon, Plaintiff in Error, vs. The State of Oregon.

In Error to the Supreme Court of the State of Oregon.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

71. Joseph Parker Camp, Appellant, vs. Kate Willard Boyd, Henry K. Willard, and George E. Howe, devisees in Trust under the last will of Caleb C. Willard, deceased. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney.

251 Charles M. Campbell, Appellant, vs. Northwest Washington Improvement Co., J. Cushing Daniel and Samuel C. Redman. Appeal from the Court of Appeals of the District of Columbia. 325.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court

Monday, June 9th, 1913, continued

in this cause be, and the same is hereby, re-
versed with costs in this Court and costs of
both appeals in the Court of Appeals; and
that this cause be, and the same is hereby,
remanded to the said Court of Appeals with
directions to reinstate and affirm the decree
of the Supreme Court of the District of Colum-
bia bearing date January 4, 1906, and to re-
verse and set aside all subsequent decrees so
far as inconsistent therewith, and remand the
cause to said Supreme Court with directions
to proceed to an accounting between the parties,
on a revision of the accounting already had in
that Court, and further proceedings thereon
as equity may require, in accordance with the
views expressed in the opinion of this Court.

Per Mr. Justice Pitney.

The American National Bank of Nashville, Tennessee, Plaintiff in Error, vs. J. L. Miller, Agent of the First National Bank of Macon, Georgia

In Error to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by coun-

here ordered and adjudged by this C
that the judgment of the said United
States Circuit Court of Appeals in
cause be, and the same is hereby, aff
with costs; and that this cause be, a
same is hereby remanded to the Dis
Court of the United States for the Mi
District of Tennessee.

Per Mr. Justice Lam

Chicago, Burlington &
Quincy Railroad Co.,
Plaintiff in Error,
vs.
William L. Hall.

In Erro
the Sup
Court o
State of N

249.

This cause came on to be heard on t
script of the record from the Supreme
of the State of Nebraska, and was ar
by counsel. On consideration whereof
is now here ordered and adjudged by th
Court that the judgment of the said Sup
Court in this cause be, and the same is h
affirmed with costs.

Per Mr. Justice Lam

899. J. Butler Stanley, Trustee in Bankruptcy of the Collon Tours Co., vs. Appellant. The Boylston National Bank of Boston. Appeal from the United States Circuit Court of Appeals for the First Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Massachusetts.

Per Mr Justice Lamar

296. Fourche River Lumber Co., vs. Plaintiff in Error Bryant Lumber Co. In Error to the Supreme Court of the State of Arkansas

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and ad-

of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court. 14.

Per Mr. Justice Lamar.

1158. Omaha & Council Bluffs Street Railway Co. and Omaha & Council Bluffs Railway & Bridge Co., vs. Interstate Commerce Commission and The United States. Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Commerce Court with directions to enter a decree making permanent the decree of the Circuit Judges entered April 25th 1910, in the Circuit Court of the United States for 6 & 4.

(Mr. Justice Pitney did not hear the arguments and took no part in the decision of this case.)

Per Mr. Justice Lamar.

Monday, June 9th, 1913, continued

Pennsylvania Railroad Co., In Error to the
vs. Plaintiff in Error, United States Cir-
International Coal Mining Co. cuit Court of Ap-
peals for the

Third Circuit.

This cause came on to be heard on the tran-
script of the record from the United States
Circuit Court of Appeals for the Third Circuit,
and was argued by counsel. On consideration
whereof, It is now here ordered and adjudged
by this Court that the judgment of the said
United States Circuit Court of Appeals in
this cause be, and the same is hereby, re-
versed with costs; and that this cause be,
and the same is hereby, remanded to the
District Court of the United States for the
Eastern District of Pennsylvania with direc-
tions to grant a new trial.

Per Mr. Justice Lamar

Dissenting:
Mr. Justice Pitney

Mitchell Coal & Coke Co In Error to the
vs. Plaintiff in Error, District Court
Pennsylvania Railroad Co. of the United
States for the

Eastern District of Pennsylvania

This cause came on to be heard on the
transcript of the record from the District
Court of the United States for the Eastern

by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed in part and modified and affirmed in part, costs in this Court to be paid by defendant in error; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Lamar.

Dissenting:
Mr. Justice Pitney.

207. Morrisdale Coal Co., Appellant, vs. Pennsylvania Railroad Co. Appeal from the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be and the same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Penn-

Dissenting:
Mr. Justice Pitney

Monday, June 9th, 1913, continued.

The Singer Sewing Machine Co. of New Jersey,
vs. Appellant,
Allison Stocker, Treasurer of the City and County of Denver, and The Board of County Commissioners of the City and County of Denver

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

259

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Colorado.

per Mr. Justice Van Devanter.

George W. Bond et al.,
vs. Appellants,
Unknown Heirs of Juan Barela, deceased, et al.

Appeal from the Supreme Court of the Territory of New Mexico

558

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was ar-

Monday, June 9th, 1913, continued.

It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of New Mexico

Per Mr. Justice Van Devanter.

678. The National Home for Disabled Volunteer Soldiers and Major Mosee Harris, General Treasurer thereof. Appellants vs. J. E. Parrish

Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Tennessee

Per Mr. Justice Van Devanter

(The Chief Justice took no part in the consider-

736. The United States vs. The Mille Lac Band of Chippewa Indians in the State of Minnesota — Appellant, — Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings in conformity with the opinion of this Court.

Dissenting: Mr. Justice McKenna, Mr. Justice Day

Per Mr. Justice Van Devanter.

291. George T. Simpson et al. vs. David C. Shepard — Appellants, — Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged decreed by this Court that the decree of the said Circuit Court in this cause be, and the same

is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Minnesota with directions to dismiss the bill of complaint without prejudice.

Per Mr. Justice Hughes

(Mr. Justice McKenna concurs in the result.)

292 George T. Simpson et al., Appellants, vs. Emma B. Kennedy, Robert Eliot Tod, Robert W. De-Forest, and William Stewart Tod, Executrix and Executors of the will of John S. Kennedy, deceased, and Henry A. James. Appeal from the Circuit Court of the United States for the District of Minnesota

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Minnesota with directions to dismiss the bill of complaint without

(Mr. Justice McKenna concurs in the result.)

293. George T. Simpson et al. vs. William Shillaber, Appellants, Appeal from the Circuit Court of the United States for the District of Minnesota

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, modified by providing that the members of the Railroad and Warehouse Commission, and the Attorney General of the State may apply at any time to the Court by bill or otherwise, as they may be advised, for a further order or decree, whenever it shall appear that, by reason of a change in circumstances, the rates fixed by the State's acts and orders are sufficient to yield to the company reasonable compensation for the services rendered, and, as so modified, be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Minnesota

Per Mr. Justice Hughes.

(Mr. Justice McKenna concurs in the result.)

would adjourn until tomorrow for the purpose of announcing further opinions, and moved then adjourn until Monday next, on which day it would adjourn for the term.

Proclamation being made, the Court is adjourned

Tuesday, June 10th. 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph M Kenna.
William R. Day
Horace H. Lurton Associate
Willis Van Devanter Justices
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Jack Beall, it is ordered that W. C. Wear, Esquire, of Hillsboro, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. U. Fletcher, it is ordered that G. C. Palmer, Esquire, of Lake City, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Paul Charlton as the next friend of Porter Charlton, Appellant.
vs.
James J. Kelly, Sheriff of Hudson County, State of New Jersey, and Gustavo de Rosa, Vice-Consul of the Kingdom of Italy in the United States of America.

Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New-Jersey, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of New-Jersey.

Per Mr. Justice Lurton

City of Paducah, Kentucky, Appellant,
vs.
East Tennessee Telephone Co.

Appeal from the Circuit Court of the United States for the Western District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of

Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Kentucky for further proceedings.

Per Mr. Justice Lurton.

79 National Safe Deposit, Savings & Trust Co. of the District of Columbia. vs. William B. Nibbs. In Error to the Court of Appeals of the District of Columbia

Plaintiff in Error.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

119. Portland Railway Light & Power Co., Plaintiff in Error, vs. Railroad Commission of Oregon. In Error to the Supreme Court of the State of Oregon

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

120. Portland Railway, Light & Power Co., Plaintiff in Error, vs. Railroad Commission of Oregon. In Error to the Supreme Court of the State of Oregon.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

William Stewart Macleod, as sole surviving Partner of the Partnership of Macleod & Co., — Appeal from the Court of Claims

259. vs. Appellant,

The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter judgment for the claimant.

per Mr. Justice Day.

Continental & Commercial Trust & Savings Bank, — Appeal from the United States Circuit Court of Appeals for the Seventh Circuit.

711 vs. Appellant.

Chicago Title & Trust Co., Trustee in Bankruptcy of Earl N. Prince, Bankrupt.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consider-

and decreed by this Court that the decree of the said United States Circuit Court of Appeals and the decree of the District Court of the United States for the Northern District of Illinois in this cause be, and the same are hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Day.

284. The Citizens Telephone Co., Appellant. vs. Oramel B. Fuller, Auditor General of the State of Michigan

Appeal from the Circuit Court of the United States for the Western District of Michigan

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Michigan.

Per Mr. Justice McKenna.

285. The Citizens Telephone Co. of Jackson, Appellant, vs. Orame B. Fuller, Auditor General of the State of Michigan

Appeal from the Circuit Court of the United States for the Western District of Michigan

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Michigan.

Per Mr. Justice McKenna

335. Railroad Commission of Louisiana and Walter Guion, Attorney General of Louisiana, vs. Texas & Pacific Railway Co., St Louis, Iron Mountain & Southern Railway Co., and Kansas City Southern Railway Co. Appellants,

Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

script of the record from the United States Circuit Court of Appeals for the Fifth Circuit and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Louisiana.

Per Mr. Justice McKenna.

230. Chicago, Rock Island & Pacific Railway Co., Plaintiff in Error, vs. Thomas W. Brown — In Error to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois.

Per Mr. Justice McK...

Clara A. Wheeler and Frank S. Lusk,
1173. vs. Appellants,
City and County of Denver, Albion K. Vickery, Auditor, Lewis C. Greenlee, Treasurer, et al.

Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Colorado for further proceedings.

Per Mr. Justice McKenna

Dissenting:
Mr. Justice Day.

John A. Adams,
1045 vs. Plaintiff in Error,
James Russell, Warden of State House of Correction and Branch of the State Prison, at Marquette, Mich. and The Advisory Board in the Matter of Pardons.

In Error to the Supreme Court of the State of Michigan.

of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice McKenna

The United States,
Plaintiff in Error,
vs.
The Baltimore & Ohio
Railroad Co.

In Error to the
Circuit Court of
the United States
for the Northern
District of West
Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of West Virginia and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United State for the Northern District of West Virginia.

Per Mr. Chief Justice White

(Mr. Justice Pitney not being a member of the Court when this cause was argued, took no part in its consideration.)

320 Fred Robertson and W. J. Ratcliff, Plaintiffs in Error, vs. C. F. Howard and Fred Howard. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice White

541. The St. Louis, Iron Mountain & Southern Railway Co., Plaintiff in Error, vs. Mrs. Cordie McWhirter, Administratrix of the Estate of Elwal McWhirter, deceased. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that

in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice White.

818. The Journal of Commerce and Commercial Bulletin, Appellant, vs. Albert S. Burleson, as Postmaster General of the United States, James C. McReynolds, as Attorney General of the United States et al. Appeal from the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White.

819 Lewis Publishing Co. vs. Edward M. Morgan, as Postmaster of the United States of America in and for New York City, Borough of Manhattan. Appeal from the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White

853 Grand Trunk Railway Co. of Canada et al., vs. Michigan Railroad Commission et al. Appellants. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

Missouri, Kansas & Texas Railway Co. of Texas et al., Petitioners.
vs.
The United States.

911-2.

Ord consi
of the m
to adjou
cause, i
now here
by the Court that said motion be, and
same is hereby, granted, and the cause
for argument on Tuesday, October 14th n
after the cases heretofore assigned for th

Per Mr. Chief Justice

The Eastern States Retail Lumber Dealers' Association et al., Appellants,
vs.
The United States.

1058.

Ord consi
tion of
tion to
this cau
is now he
dered by
Court that said motion be, and the sam
hereby, granted, and the cause assigned
gument on Tuesday, October 14th next, a
the cause heretofore assigned for that da

Per Mr. Chief Justice

The Atchison, Topeka & Santa Fe Railway Co, et al., Appellants,
vs.
The United States et al.

1096.

Ord consider
of the moti
advance a
cause. It i
here ordered
the Court that said motion be, and the s
is hereby, granted, and the cause assigne
argument on Tuesday, October 14th next,

the cases heretofore assigned for that day.

Per Mr. Chief Justice White

1103 Mayor and Aldermen of the City of Vicksburg, Appellants, vs. W. A. Henson, Receiver, etc., et al.

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

1137 Houston, East & West Texas Railway Co., et al. Appellants, vs. The United States et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 14th next after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

1138. The Texas & Pacific Railway Co., et al., Appellants, vs. The United States et al.

On consideration of the motion to advance this cause, It is now here or-

that said motion be, and the same is here granted, and the cause assigned for arg on Tuesday, October 14th next, after the heretofore assigned for that day.

Per Mr. Chief Justice Wh

1142. The Kansas City Southern Railway Co., Appellant, vs. The United States et al

On consideration of the motion advance this It is now hered ordered by the C that said motion be, and the same is here granted, and the cause assigned for argum on Tuesday, October 14th next, after the heretofore assigned for that day.

Per Mr. Chief Justice Wh

Original. Ex parte: In the matter of the City of Louisville, Ky., Petitioner

On consideration of the motion leave to file a petition for a wri of mandamus herein. It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

Original. Ex parte: In the matter of The City of Louisville, Kentucky, Petitioner

On consideration of the petition a writ of mandamus herein. It is now here ordered by

the Court that cause be shown by the Honorable Walter Evans, Judge of the District Court of the United States for the Western District of Kentucky, before this Court, at the City of Washington, on the 13th day of October, 1913. at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice White

Ex parte: In the matter of A. Euglehard & Sons Co., Original Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein. It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

Ex parte: In the matter of A. Euglehard & Sons Co., Original Petitioner. On consideration of the petition for a writ of mandamus herein. It is now here ordered by the Court that cause be shown by the Honorable Walter Evans, Judge of the District Court of the United States for the Western District of Kentucky, before this Court, at the City of Washington, on the 13th day of October, 1913. at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the

should not be granted.

Per Mr. Chief Justice W

Ex parte: In the matter of Edward N. Patterson. Petitioner.

Original

On consid of the mo leave to fi titions for w

mandamus herein, It is now here order the Court that the said motion be, an same is hereby, denied.

Per Mr. Chief Justice W

The State of Wyoming, Complainant,
Original. vs.
The State of Colorado et al.

On considera the joint mo and stipulat counsel for th spective frai

this cause for the appointment of Specia missioners to take and return the testim in this cause, It is now here ordered b Court that Clyde M. Watts be, and he hereby, appointed Special Commissioner and return the testimony in this cause o on behalf of the complainant; and that J Gaibreth be, and he is hereby, appointed Sp Commissioner to take and return the tes in this cause offered on behalf of the def or any of them, and that each shall ha power of a Master in Chancery, as provi in the Rules of this Court, but said Co sioners shall not make any findings of

or state any conclusions of law. It is further ordered that the taking of testimony on behalf of the complainant shall begin on August 5th. 1913, at such place as counsel for complainant may designate, ten days' notice thereof to be given to counsel for defendants, and shall be concluded within one hundred days thereafter; and the taking of the testimony on behalf of the defendants shall commence on or before fifteen days after the conclusion of the testimony offered on behalf of the complainant and shall be concluded within one hundred days thereafter; and the testimony in rebuttal shall be commenced on or before ten days after the conclusion of the testimony offered on behalf of the defendants, five days' notice of the place being given, and shall be concluded within forty days thereafter. It is further ordered, in pursuance of said stipulation, that the said Commissioners shall receive as their sole compensation for all services and for all testimony taken and transcribed, the sum of fifteen cents per folio for the original transcript and the further sum of five cents per folio for each carbon copy thereof, together with actual and necessary travelling expenses incurred in the taking of the testimony.

Per Mr. Chief Justice White

Ex parte: In the matter of America Cafes.

9 Orig. Petitioner

On consideration of the motion of the motion substitute the Honorable Peter Hamilton, United States District Judge for Porto Rico, as the party respondent in the cause, It is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr. Chief Justice White

The United States Telephone Company.

vs.

Central Union Telephone Co. and American Telephone & Telegraph Co.

990 Petitioner.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and the argument of counsel thereupon had, as in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1090 American Street Flushing Machine Co. vs St Louis Street Flushing Machine Co. and William Ralican. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1106. Julius Marquisee, vs. Hartford Fire Insurance Co. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1111 C. E. Dolbear, Petitioner.
vs.
The Foreign Mines Development Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby denied.

Per Mr. Chief Justice W

1112. William B. Holden, Trustee in Bankruptcy of J. A. Haring, Bankrupt. Petitioner.
vs.
Jay A. Haring, Bankrupt.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice W

1114 Susan C. Higgins, Petitioner, vs. Harvey E. Eaton, Executor of the last will and testament of Elizabeth S. Eaton deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1121 St Louis Southwestern Railway Co., of Texas, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that

by, denied.

Per Mr. Chief Justice White.

1122. North German Lloyd, Claimant of the Steamship "Rhein" vs. Hamburg-American Line et al. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1123. Julius A. Blackburn, vs. Ellsworth C. Irvine, Receiver of the Columbus, Sandusky & Hocking Railroad Co. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon

had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Newport News Ship Building & Dry Dock Co., Petitioner. vs. The Steamboat "Saratoga", New York, Albany & Troy Transportation Co., Claimant. 1136.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

The Marian Coal Co., Petitioner. vs. John W. Seale. 1141.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

of certiorari herein to the United States C
Court of Appeals for the Fifth Circuit, a
of the argument of counsel in support of
same, It is now here ordered by this Cou
that the said petition be, and the same i
hereby, denied.

Per Mr. Chief Justice Wh

The Wyandotte County Gas Co. Plaintiff in Error,
vs.
The State of Kansas on the relation of John Marshall, Attorney for the Public Utilities Commission of the State of Kansas.

No. 995.

It is now he
ordered by t
Court that
cause be pla
on the summ
docket.

Per Mr. Ch
Justice Wh

Arthur Greey, as Trustee in bankruptcy of Delaware-Kepner Co. bankrupt, Appellant,
vs.
John E. Dockendorff.

No. 1101

It is now he
ordered by t
Court that
cause be pla
on the summ
docket.

Per Mr. Chief Justice Wh

Widow W. W. Shipp, Petitioner,
vs.
The Texas & Pacific Railway Co.

No. 1110

On petition for writ
certiorari to the Un
States Circuit Cour
Appeals for the Fift
Circuit.

On consideration of the petition for a writ

certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

411 Adolph Sussknd. vs. William J. Gaynor, Mayor of the City of New York, et al. — Appellant, — Appeal from the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed. Therefore, in pursuance of said stipulation, it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed without costs to either party. It is further ordered that this cause be and the same is hereby remanded to the District Court of the United States for the Southern District of New York

Per Mr. Chief Justice White

309 John V. Dobson et al. vs. Virginia-Carolina Chemical Co. — Plaintiffs in Error, — In Error to the Supreme Court of the State of Tennessee.

It appearing to the Court that the authority of plaintiffs in error to dismiss the writ of er-

pursuance of said authority, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

W. S. Wright et al., Plaintiffs in Error, vs. Merchants Trust Co., as Executor of the last will and testament of Edwin R. Fox. In Error to the Supreme Court of the State of California

6/3.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed without costs to either party.

Per Mr. Chief Justice White

Proclamation being made, the Court is adjourned until Monday next, at twelve o'clock.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
William R. Day
Horace H. Lurton
Charles E. Hughes Associate
Willis Van Devanter Justices
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James H. McKinney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Julius Kahn, it is ordered that G. C. Ringolsky and William H. Cobb, Esquires, of San Francisco, and J. W. Stewart, Esquire, of Oxnard, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. D. Clark, it is ordered that Roderick N. Matson and T. Blake Kennedy, Esquires, of Cheyenne, State of Wyoming, be admitted to practice as attorneys and coun-

cordingly.

On motion first made to the Court in this behalf by Mr. S. M. Sparkman, it is ordered that O. K. Reaves, Esquire, of Bradentown, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr William C. Prentiss, it is ordered that Jefferson P. Chandler, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Scott Ferris, it is ordered that Claude Weaver, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. H. Thompson, Jr., it is ordered that Marvin N. Farrington, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Thomas W. Dickey, Esquire, of New Castle, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. Garland Dupré, it is ordered that Harry Irwin, Esquire, of Hilo, Territory of Hawaii, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward F. Colladay, it is ordered that Harry C. Kinne, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The State of New Mexico, Complainant, vs The State of Texas

On motion of Mr. T. B. Catron, of counsel for the complainant, leave is hereby granted to file a stipulation of counsel for the respective parties herein as to the filing of pleadings by the defendant, as to the designation of commissioners to take testimony and as to the manner of taking said testimony.

The State of New Mexico, Complainant.
13. Original vs.
The State of Texas.

In pursuance the stipulation counsel for the spective parties

day filed by leave of the Court, It is now ordered by the Court that each of the pa shall, on or before the first day of August designate a person as an Examiner, who be a competent stenographer and typewri for the purpose of taking the evidence in cause, the designation of the said two pe to be filed with the Clerk of this Court or before the first day of August, 1913, and that within ten days thereafter said two pe sons shall take the requisite oath provid therefor by the Clerk of this Court, which of officer shall on that day or as soon as p sible thereafter be filed with the Clerk of this Court; that said two persons so desi ted shall act together at all times in the ing of the said proofs in this cause, and they shall take testimony at such time a and they shall take as many at such time and places as may be place as may be designated by either of parties, which proofs shall be reduced writing, and such persons so designated to take the testimony shall note all objec to each question and answer which ma made by either of the parties, and all ot facts that may be required to be stated either of the parties, so as to show the co proceedings before the said two Examine

designated; said Examiner shall make a complete record of all such proofs and all the proceedings in connection therewith, including documentary evidence, certify to the correctness thereof, and file the same with the Clerk of this Court.

Per Mr. Chief Justice White

993. Colonel Charles G. Treat, vs. Pascual Orozco, Sr. Appellant. Appeal from the District Court of the United States for the Western District of Texas.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice White

994. Colonel Charles G. Treat, vs. David de la Fuente. Appellant, Appeal from the District Court of the United States for the Western District of Texas.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance

judged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

71. Joseph Parker Camp, Appellant, vs. Kate Willard Boyd et al. On motion of Mr. William E. Ambrose, of counsel for the appellant, leave is hereby granted to present a petition for rehearing herein within sixty days.

736 The United States, Appellant, vs. The Mille Lac Band of Chippewa Indians. On motion of Mr. C. C. Calhoun on behalf of counsel for the appellee, leave is hereby granted to present a petition for rehearing herein within sixty days.

92. Severo Ochoa, Victor Ochoa, Jose Ochoa, and Angel Gonzales, partners, doing business under the firm name and style of J. Ochoa y Hermano, Appellants, vs. Ana Maria Hernandez y Morales and Eufemia Hernandez y Morales. Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the tran-

script of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney

Mary E. Nalle, Plaintiff in Error, vs. James F. Oyster, William V. Cox, Mary C. Terrell, Justina R. Nill, Ellen S. Mussey and Barton W. Evermann.

In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals, with directions to affirm so much of the judgment of the Supreme Court of the District of Columbia as overruled plaintiff's demurrers to the first and second

court of the declaration, and with direction
reverse so much of the judgment of said
preme Court as sustained the defendants
murrer to the first count of the plaintiff
declaration, and to remand the cause to
court with directions to grant leave to the
fendants to plead to said first count, by
verse or otherwise, and for further proceed
to be had therein in accordance with the o
of this Court.

Per Mr. Justice Pitney

The Missouri Pacific Railway Co., Plaintiff in Error, vs. J. W. Tucker. 52. In Error to th Supreme Court the State of Ka

This cause came on to be heard on the tr
script of the record from the Supreme Cou
of the State of Kansas, and was argued b
counsel. On consideration whereof, It is now
ordered and adjudged by this Court that
judgment of the said Supreme Court in th
cause be, and the same is hereby, reversed
with costs; and that this cause be, and th
same is hereby, remanded to the said Supre
Court for further proceedings not inconsist
with the opinion of this Court.

Per Mr. Justice Van Devan

131 Mary F. Butte, Plaintiff in Error, vs. Merchants & Miners Transportation Co., In Error to the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Van Devanter

754. Old Colony Trust Co., Appellant, vs. The City of Omaha. Appeal from the District Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Nebraska and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court with a direction to enter a decree against the enforcement of the reso-

sion of this Court.

Per Mr. Justice Van D

(Mr. Justice Holmes took no part in
sideration and decision of this case.)

Omaha Electric Light & Power Co.,

162. vs. Appellant,

The City of Omaha and Waldemar Michaelson

Appeal fr
United Sta
Court of
the Eight

This cause came on to be heard on t
script of the record from the United S
cuit Court of Appeals for the Eight
and was argued by counsel. On con
whereof, It is now here ordered, adj
decreed by this Court that this appe
the same is hereby, dismissed for the
jurisdiction.

Per Mr. Justice Van

(Mr. Justice Holmes took no part in
sideration and decision of this case.)

John A. Knott et al Railroad and Warehouse Commissioners of the State of Missouri et al.,

9 vs. Appellants,

Chicago, Burlington & Quincy Rail-road Co.

Chicago, Burlington & Quincy Rail-road Co., Appellant

A
fro
Cir
of t
Sta
the
Di
M

12. vs.
John A. Knott et al, Railroad and Warehouse Commissioners of the State of Missouri et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri on appeal and cross-appeal, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed at the costs of the Railroad Company; and that this cause be, and the same is hereby remanded to the District Court of the United States for the Western District of Missouri with directions to dismiss the bill without prejudice.

Per Mr. Justice Hughes.

339 John A. Knott et al Railroad and Warehouse Commissioners of the State of Missouri et al., vs. The St Louis & San Francisco Railroad Co., Appellants,

340 The St. Louis & San Francisco Railroad Co., vs. Appellant,

Appeals from the Circuit Court of the United States for the Western District of Missouri.

John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and deemed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed at the cost of the Railroad Company; and that this cause be, and the same is hereby remanded to the District Court of the United States for the Western District of Missouri with directions to dismiss the bill without prejudice.

Per Mr. Justice Hughes.

345.

John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al.

341 vs. Appellants,

The Atchison, Topeka & Santa Fe Railway Co.

The Atchison, Topeka & Santa Fe Railway Co.

342. vs. Appellant,

John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al.

Appeals from the Circuit Court of the United States for the Western District of Missouri.

346.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the Western District of Missouri on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed at the costs of the Railway Company; and that this cause be, and the same is hereby remanded to the District Court of the United States for the Western District of Missouri with directions to dismiss the bill without prejudice.

Per Mr. Justice Hughes.

John A. Knott et al., Railroad Warehouse Commissioners of the State of Missouri et al., Appellants, vs. The Chicago, Rock Island and Pacific Railway Co. The Chicago, Rock Island & Pacific Railway Co., Appellant, vs. John A. Knott et al., Railroad Warehouse Commissioners of the State of Missouri et al.

Appeals from the Circuit Court of the United States for the Western District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of

Missouri on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed at the costs of the Railway Company; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri with directions to dismiss the bill without prejudice.

Per Mr. Justice Hughes.

349. John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al., Appellants, vs. The Kansas City Southern Railway Co. — Appeals from the Circuit Court of the United States for the Western District of Missouri

350. The Kansas City Southern Railway Co., Appellant, vs. John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, on appeal and cross-appeal, and was argued by counsel. On consideration

whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed at the costs of the Railway Company; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri with directions to dismiss the bill without prejudice.

Per Mr. Justice Hughes.

357 John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al., vs. Appellants, The Missouri, Kansas & Texas Railway Co.

358. The Missouri, Kansas & Texas Railway Co., vs. Appellant, John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al.

Appeals from the Circuit Court of the United States for the Western District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and

said Circuit Court in this cause be, and the same is hereby, reversed at the costs of the Railway Company; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri with directions to dismiss the bill without prejudice.

Per Mr. Justice Hughes.

351 John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al., Appellants, vs. The St. Louis & Hannibal Railway Co.

352. The St. Louis & Hannibal Railway Co., Appellant, vs. John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al.

Appeals from the Circuit Court of the United States for the Western District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, modified as indicated in the opinion of this Court, and, as so modified, be and the same is hereby affirmed and

party paying one-half of the costs in this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri.

Per Mr. Justice Hughes.

365 John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al., Appellants, vs. The Kansas City, Clinton & Springfield Railway Co.

366 The Kansas City, Clinton & Springfield Railway Co., Appellant, vs. John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al.

Appeals from the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, modified as indicated in the opinion of this Court and, as so modified, be,

paying one-half of the costs in this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri.

Per Mr. Justice Hughes.

367 John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al., vs. Appellants, The Chicago Great Western Railway Co., et al.

368. The Chicago Great Western Railway Co. et al., vs. Appellants, John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri.

Appeals from the Circuit Court of the United States for the Western District of Missouri.

347 / 348.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby modified as indicated in the opinion of this Court, and, as so modified, be, and the same is hereby, affirmed, each party paying

ne-half of the costs in this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri.

Per Mr. Justice Hughes.

John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al., Appellants, vs. The St. Louis, Kansas City & Colorado Railroad Co. / The St. Louis, Kansas City & Colorado Railroad Co., Appellant, vs. John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al. } Appeals from the Circuit Court of the United States for the Western District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed as the costs of the Railroad Company; and that this cause be, and the

of the United States for the Western District of Missouri, with directions to dismiss the bill without prejudice. Per Mr. Justice Hughes.

343 John N. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al., Appellants, vs. St. Louis Southwestern Railway Co.

344 St. Louis Southwestern Railway Co., Appellant, vs. John N. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri.

Appeals from the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that these appeals be, and the same are hereby, dismissed, each party to pay one-half of the costs in this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri.

Per Mr. Justice Hughes.

	John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al.,	Appeals from the Circuit Court of the United States for the Western District of Missouri
353	vs. Appellants,	
	Missouri Pacific Railway Co.	
	Missouri Pacific Railway Co.	
354.	vs. Appellant,	
	John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri, et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that these appeals be, and the same are hereby, dismissed, each party to pay one-half of the costs in this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri.

Per Mr. Justice Hughes.

355	John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al., Appellants, vs. The St. Louis, Iron Mountain & Southern Railway Co.	Appeals from the Circuit Court of the United States for the Western District of Missouri.
356	The St. Louis Iron Mountain & Southern Railway Co., Appellant, vs. John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that these appeals be, and the same are hereby, dismissed, each party to pay one-half of the costs in this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri.

Per Mr. Justice Hughes.

359	John A. Knott et al., Railroad & Warehouse Commissioners of the State of Missouri, et al., Appellants, v. The Quincy, Omaha & Kansas City Railroad Co.	Appeals from the Circuit Court of the United States for the Western District of Missouri.
360.	The Quincy, Omaha & Kansas City Railroad Co., Appellant, v. John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri, et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that these appeals be, and the same are hereby, dismissed, each party to pay one-half of the costs in this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri.

Per Mr. Justice Hughes.

John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri et al.,
361 vs. Appellants,
The Wabash Railroad Co.
The Wabash Railroad Co.,
362. vs. Appellant
John A. Knott et al Railroad and Warehouse Commissioners of the State of Missouri, et al

Appeals from the Circuit Court of the United States for the Western District of Missouri.

363.

364.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that these appeals be, and the same are hereby, dismissed, each party to pay one-half of the costs in this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri.

Per Mr. Justice Hughes.

John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri, et al., Appellants, vs. The St. Joseph & Grand Island Railway Co. The St. Joseph & Grand Island Railway Co., Appellant, vs. John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri, et al.

Appeals from the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that these appeals be, and the same are hereby, dismissed, each party to pay one-half of the costs in this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri.

Per Mr. Justice Hughes.

369 John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri, et al. Appellants, vs. The Chicago, Milwaukee & St. Paul Railway Co.

370. The Chicago, Milwaukee & St. Paul Railway Co., Appellant, vs. John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri.

371 372. Appeals from the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that these appeals be, and the same are hereby, dismissed, each party to pay one-half of the costs in this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri.

Per Mr. Justice Hughes.

John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri, et al., Appellants, vs. The Chicago & Alton Railway Co. / The Chicago & Alton Railway Co., Appellant, vs. John A. Knott et al., Railroad and Warehouse Commissioners of the State of Missouri, et al.

Appeals from the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that these appeals be, and the same are hereby, dismissed, each party to pay one-half of the costs in this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri.

Per Mr. Justice Hughes.

Monday, June 16th, 1913, continue

111. The Chesapeake & Ohio Railway Co., Plaintiff in Error, vs. W. G. Conley, Attorney General of the State of West Virginia. In Error to the Supreme Court of Appeals of the State of West Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes

159. The Oregon Railroad & Navigation Co., a Corporation, Appellant, vs. Thomas K. Campbell, Clyde B. Aitchison, Oswald West and A. M. Crawford. Appeal from the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the Circuit Court in this cause be, and the same is hereby, affirmed with costs.

ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Oregon.

Per Mr. Justice Hughes.

Southern Pacific Co. and Oregon & California Railroad Co.,

1128. vs. Appellants,

Thomas K. Campbell, Clyde B. Aitchison, and Frank J. Miller, Commissioners constituting Railroad Commission of Oregon, and A. M. Crawford, Attorney General of the State of Oregon.

Appeal from the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Oregon.

Per Mr. Justice Hughes.

1140. Robert S. Allen, George W. Bellamy, and William F. McKnight, Railroad Commissioners of the State of Arkansas, Appellants, vs. The St. Louis, Iron Mountain & Southern Railway Co. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

1141.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Arkansas with directions to dismiss the bill without prejudice.

Per Mr. Justice Hughes.

Robert T. Allen, George W. Bellamy and William F. McKnight, Railroad Commissioners of the State of Arkansas,

vs. Appellants,

The St. Louis Southwestern Railway Co.

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Arkansas with directions to dismiss the bill without prejudice.

Per Mr. Justice Hughes.

City of Owensboro,

vs. Appellant,

The Cumberland Telephone & Telegraph Co.

Appeal from the Circuit Court of the United States for the Western District of Kentucky.

This cause came on to be heard on the

of the United States for the Western District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Kentucky.

Per Mr. Justice Lurton.

Dissenting:
Mr. Justice Day.
Mr. Justice McKenna
Mr. Justice Hughes
Mr. Justice Pitney

573 The Boise Artesian Hot and Cold Water Co., Limited, vs. Plaintiff in Error. Boise City

639 Boise City, vs. Plaintiff in Error. The Boise Artesian Hot and Cold Water Co. Limited

In Error to the District Court of the United States for the District of Idaho.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Idaho,

argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed at the costs of Boise City; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Lurton.

The Boise Artesian Hot and Cold Water Co., Limited, Plaintiff in Error,
313 vs.
Boise City.

In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Lurton.

The Arizona Copper Co., Limited, Appellant,
106 vs.
William Allen Gillespie

Appeal from the Supreme Court of the Territory of Arizona.

script of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona.

Per Mr. Justice Lurton.

Ex parte: In the matter of American Steel Barrel Co. and Elizabeth C. Seaman, Petitioners.

14. Original.

On consideration of the petition for a writ of mandamus herein, of the returns to the Rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the Rule to show cause be discharged and that said petition be, and the same is hereby, denied.

Per Mr. Justice Lurton.

Mattie W. Jackson, widow; William Graham Jackson, and Gladys L. Jackson, Infants, by Mattie W. Jackson their next friend, and Ernest N. Jackson, vs. The United States.

720 Appellants.

Appeal from the Court of Claims.

script of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice White.

718 Mary E. Hughes. vs. The United States. Appellant. } Appeals from the Court of Claims.

719 The United States, vs. Mary E. Hughes. Appellant. }

This cause came on to be heard on the transcript of the record from the Court of Claims on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, in favor of the claimant for the value of the Timberlake Plantation be, and the same is hereby, reversed, and that said judgment as to the Wigwam Plantation be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition and amended petition of the claimant.

Per Mr. Chief Justice White.

571. James L. Bradford, Appellant, vs. The United States. Appeal from the Court of Claims.

Per curiam: We permit an application for a re hearing to be filed solely for the purpose of correcting an inadvertent form of expression used in the opinion which it seems it is considered, might convey a mistaken impression to the detriment of the appellant. The opinion, in speaking of the conviction of appellant, declared that it was for defrauding the government of land, while the fact was that the prosecution and conviction was for a conspiracy to defraud the government of land. The difference — if there be difference — between the two offences could have had no possible influence upon the reasoning stated in the opinion which rendered it necessary to affirm the judgment. We think, however, a precisely accurate statement of the subject matter to which the conviction related should go upon the record to counteract any semblance of injustice which might otherwise arise. Rehearing denied.

Per Mr. Chief Justice White

188 C. N. Rexford, Petitioner vs. The Brunswick-Balke-Collender Co.

It is ordered by the Court that the mandate heretofore issued in this cause be, and

recalled; and that the decree entered herein on April 14th, 1913, in so far as it provides that the petitioner recover costs in this Court be, and the same is hereby, vacated and set aside. It is further ordered that each party pay their own costs in this Court.

Per Mr. Chief Justice White.

976. Fremont Weeks, vs. Plaintiff in Error, The United States. On consideration of the motion to advance this cause and place the same on the summary docket, It is now here ordered by the Court that said motion be and the same is hereby granted

Per Mr. Chief Justice White.

1163 The United States, vs. Plaintiff in Error, Eugene Buchanan. On consideration of the motion to advance this cause and place the same on the summary docket, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White.

1107 The United States of America, vs. Petitioner, Lexington Mill & Elevator Co. On consideration of the motion to advance this cause, It is now here or-

that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

1134. Laura R. Cramer, Petitioner, vs. Lee M. Hurd, Executor of Fenton J. Hurd, deceased. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1135. The Farmers' Loan & Trust Co., Trustee, Petitioner, vs. Frank W. Blair, Dudley E. Waters and Samuel M. Felton, Receivers of Pere Marquette Railroad Co., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ

Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, &c. it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1148 Silver King Coalition Mines Co., Petitioner vs. Silver King Consolidated Mining Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1151 Margaret Alice Throckmorton, Adele P. Stevens, Cyrus F. Colston et al., Petitioners vs. Samuel T. Ruggles, Trustee, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit

On consideration of the petition for a writ

Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1155. The Star Rubber Co., Petitioner vs. The Faultless Rubber Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1032. William Cramp & Sons Ship & Engine Building Co., Petitioner. vs. International Curtis Marine Turbine Co., and Curtis Marine Turbine Co. of the United States. On consideration of the motion of counsel for the respondents that the mandate in this cause be issued forthwith,

taxation of costs in the case, It is now here ordered by the Court that said motion as to the mandate be, and the same is hereby, granted, and as to the taxation of costs be, and the same is hereby denied.

Per Mr. Chief Justice White

1145 Belle J. Barnes et al., Appellants, vs. J. L. B. Alexander et al. It is ordered that this cause be restored to the summary docket for oral argument.

Order

It is now here ordered by the Court that all the cases on the docket not decided and all the other business of the term not disposed of be, and the same are hereby, continued to the next term.

Proclamation being made, the Court is a
journed to the time and place appointed by

VOL

19

UME

13

At a
City o
being
of the
Octobe
month
nine h
Yunde
and th
United

The Ho

(Proc

On
half by
ordered
Bowke

the Capitol of the United States, in the
of Washington and District of Columbia,
the present seat of the National Government
United States, on the second Monday of
r (being the thirteenth day of the same
h) in the year of our Lord one thousand
hundred and thirteen, and of the Inde
nce of the United States the one hundred
thirty-eighth, the Supreme Court of the
e States met agreeably to law.

Present:

Honorable Edward D. White, Chief Justice,
Joseph R. McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

amation being made, the Court is opened.

motion first made to the Court in this be
y Mr. Attorney General McReynolds, it is
that Robert M. Clarke and Dow G.
s, Esquires, of San Buenaventura, State

Indianapolis, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that Stephen J. McMahon, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. A. Williams, it is ordered that George P. Kimmel, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles S. Thomas, it is ordered that Asher B. Wilson, Esquire, of Akron, and Erwin L. Regennitter, Esquire, of Idaho Springs, State of Colorado, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest W. Bradford, it is ordered that Richard S. Harvey, Esquire, of New York City, be admitted to practice as an attorney

accordingly.

On motion first made to the Court in this be-
half by Mr. Duncan N. Fletcher, it is ordered
that Peter O. Knight, Esquire, of Tampa, State
of Florida, be admitted to practice as an attor-
ney and counsellor of this Court, and he was
sworn accordingly.

On motion first made to the Court in this behalf
by Mr. C. E. Richardson, it is ordered that
George S. Engle, Esquire, of Washington, District
of Columbia, be admitted to practice as an at
torney and counsellor of this Court, and he was
sworn accordingly.

On motion first made to the Court in this behalf
by Mr. William R. Harr, it is ordered that
Christopher N. Noy, Esquire, of New York City,
be admitted to practice as an attorney and coun-
sellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf
by Mr. F. W. S. Olivier, Jr., it is ordered that
Clarence E. Pope, Esquire, of East St. Louis, State
of Illinois, be admitted to practice as an attor-
ney and counsellor of this Court, and he was
sworn accordingly

On motion first made to the Court in this be-

that Charles F. Blackstock, Esquire, of Oxnard, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank E. Doremus, it is ordered that William Van Dyke, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Thomas J. Freeman, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clarence E. Sprout, it is ordered that Fred Keller, Esquire, of Bloomsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Fred Beall, it is ordered that J. N. Adriaans, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he

On motion first made to the Court in this be-
half by Mr. Huston Thompson, it is ordered that
George H. Thorne, Esquire, of Denver, State
of Colorado, be admitted to practice as an
attorney and counsellor of this Court, and he was
sworn accordingly.

On motion first made to the Court in this be
half by Mr. W. W. Bride, it is ordered that
Milton Eugene Cornelius, Esquire, of Los Ange-
les, State of California, be admitted to practice
as an attorney and counsellor of this Court, and
he was sworn accordingly.

On motion first made to the Court in this be
half by Mr. E. C. Brandenburg, it is ordered that
Emanuel J. Myers and Gordon S. P. Kleeberg,
Esquires, of New York City, and Lawson E.
Purvey, Esquire, of Fond du Lac, State of Wiscon-
sin, be admitted to practice as attorneys and coun
sellors of this Court, and they were sworn accord-
ingly.

On motion first made to the Court in this be-
half by Mr. Frederick S. Tyler, it is ordered that
Henry A. Cutter, Esquire, of Nashua, State of
New Hampshire, be admitted to practice as an at
torney and counsellor of this Court, and he was
sworn accordingly.

by Mr. James A. Reed, it is ordered that J. G. Harvey, Esquire, of Kansas City, and Thomas Seawell, Esquire, of Springfield, State of Misso and J. C. South, Esquire, of Mountain Home, State of Arkansas, be admitted to practice as a torneys and counsellors of this Court, and they w sworn accordingly.

On motion first made to the Court in this be by Mr. Nathaniel Wilson, it is ordered that John T. Harris, Esquire, of Harrisonburg, St of Virginia, be admitted to practice as an att and counsellor of this Court, and he was sworn accordingly.

Mr. Attorney General McReynolds presented Mr. John W. Davis, of West Virginia, as Sol tor General of the United States, and it was dered that his commission be recorded. The s commission is in the following words:

" Woodrow Wilson,

President of the United States of America

To all who shall see these Presents, Greeting:

Know Ye; That reposing special trust and c fidence in the Integrity and Ability of John William Davis, of West Virginia, I have n minated, and by and with the advice and co sent of the Senate do appoint him Solicitor General, and do authorize and empower him

according to Law, and to have and to hold the said Office, with all the powers, privileges and emoluments thereunto of right appertaining, unto him the said John William Davis.

In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Given under my hand, at the City of Washington, the twenty-eighth day of July, in the year of our Lord one thousand nine hundred and thirteen, and of the Independence of the United States of America, the one hundred and thirty eighth

Woodrow Wilson

Seal

By the President:
J. C. McReynolds,
Attorney General."

The Chief Justice announced that all motions noticed for today would be heard tomorrow, and that the Court would then commence the call of the docket, pursuant to the twenty-sixth rule.

Proclamation being made, the Court is adjourned

Tuesday. October 14th. 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M'Kenna,
Oliver Wendell Holmes,
William R. Day,
Horace H. Lurton, Associate
Charles E. Hughes, Justices
Willis Van Devanter,
Joseph R. Lamar,
Mahlon Pitney,
John M. Wright, Esquire, Marshal.
James D. Maher, Deputy Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that Richard T. Greene, Esquire, of New York City, and Samuel J. Graham, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jackson H. Ralston, it is ordered that J. Ralston Burgett, Esquire, of Mobile, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn

On motion first made to the Court in this behalf by Mr. Frank Clark, it is ordered that T. E. Fitzgerald, Esquire, of Daytona, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Hale, it is ordered that Bernard Nershkoff, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. H. Thompson, it is ordered that Henderson S. Martin, Esquire, of Marion, and J. E. Helm, Esquire, of Topeka, State of Kansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Milburn, it is ordered that Archibald F. Jones, Esquire, of Coudersport, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank L. Crawford, it is ordered that Myron Harris, Esquire, of New York City,

sellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hoke Smith, it is ordered that Will H. Krause, Esquire, of Bainbridge, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 709

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that Edward F. Wehrle, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Hochling, Jr., it is ordered that Gordon M. Buck, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 469

518. The United States of America, Petitioner, vs. Lexington Mill & Elevator Co. Mr. Solicitor General Davis, of counsel for the petitioner, submitted 700

consideration of the

to the Court a motion to reassign this cause.

566 The United States of America, Plaintiff in Error, vs. Tom Mosley et al. Mr. Solicitor General Davis, of counsel for the

submitted to the consideration of the Court a motion to advance this cause.

The United States,
vs. Petitioner.
Vipissing Mines Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Davis, Mr. Attorney General McReynolds and Mr. Assistant Attorney General Harr in support of the same, and by Mr. George F. Hurd in opposition thereto.

Mary Genevieve Pennell,
Administratrix, etc.,
vs. Plaintiff in Error.
Philadelphia & Reading
Railway Co.

Mr. George Demming, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause or to place the same upon the summary docket.

Wells, Fargo & Co. Express,
vs. Plaintiff in Error.
D. W. Ford.

Mr. William R. Harr, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to amend the writ of error in this cause.

Tuesday, October 14th. 1913. continued.

575 Peter W. Rehard, Receiver, etc., Petitioner. vs. The Coal & Iron Railway Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John T. Harris and Mr. Fred O. Blue in support of the same, and by Mr. B. M. Ambler in opposition thereto.

2, Original. The Commonwealth of Virginia, Complainant, vs. The State of West Virginia. The motion to proceed to a final disposition of this cause was submitted to the consideration of the Court on printed arguments by Mr. Randolph Harrison, Mr. Samuel W. Williams, Mr. William A. Anderson, Mr. Holmes Conrad, and Mr. Sanford Robertson in support of the same, and by Mr. A. A. Lilly, Mr. V. B. Archer, Mr. Charles E. Hogg and Mr. John N. Holt in opposition thereto.

711 James Sim, Petitioner. vs. William Edenborn. }
712. Thomas P. Alder, Petitioner. vs. William Edenborn } The petitions for writs of certiorari in these causes were submitted to the consideration of the Court on printed arguments by Mr. Theron G. Strong in support of the same, and by Mr. Martin W. Littleton in opposition thereto.

695.	Francis P. B. Sands, vs. Henrietta S. Anderson. Petitioner.	The petition for a writ of certiorari herein was submitted to the consideration

of the Court on printed arguments by Mr. F. P. B. Sands *pro se*, and by Mr. Frank J. Hogan in opposition thereto.

716.	Millard F. Field, vs. Howard B. Colman Petitioner.	The petition for a writ of certiorari herein was submitted to the considera-

tion of the Court on printed arguments by Mr Melville Church in support of the same, and by Mr Lincoln B. Smith in opposition thereto.

734.	Cherokee Tanning Extract Co., et al., vs. George N. Leonard et al. Petitioners	The petition for a writ of certiorari herein was sub-

mitted to the consideration of the Court on printed arguments by Mr. Thomas S. Rolline and Mr. J. N. Merrimon in support of the same, and by Mr. A. S. Barnard in opposition thereto.

Original.	Ex parte: In the matter of the Acme Collecting Co., Petitioner	The motion for leave to file a petition for writs of

mandamus or cer-

of the Court by Mr. Richard S. Harvey and Mr. Ferdinand E. M. Bullerdick in support of the same

Henry Bartz,
703. vs. Petitioner
The Schoenlau-Kuck Kuck Trunk Top & Veneer Co. et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Emil Black in support of the same, and by Mr. Charles Nowson in opposition thereto.

Riverside Heights Orange Growers Association et al.,
719 vs. Petitioners.
Fred Stebler

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr N. A. Acker and Mr. J. J. Scrioner in support of the same, and by Mr. Frederick S. Lyon and Mr. William W. Dodge in opposition thereto

Ex parte: In the matter of the City of Louisville, Kentucky,
11, Original Petitioner.
Ex parte: In the matter of A. Englehard & Sons Co.
12. Original. Petitioner

On motion of Mr. Alexander Pope Humphrey, of counsel for the respondent, leave is hereby granted to file the returns to the rules to show cause herein.

Ex parte: In the matter of The City of Louisville, Kentucky.
11, Original. Petitioner.

On motion of Mr. Pendleton Beckley of counsel for the Petitioner, leave is hereby granted to file certain exhibits herein.

Ex parte: In the matter of A. Englehard & Sons Co.,
12, Original. Petitioner.

On motion of Mr. C. B. Blakey of counsel for the petitioner, leave is hereby granted to file certain exhibits herein.

City of Louisville, Kentucky.
535 vs. Appellant,
Cumberland Telephone & Telegraph Co.

Mr. Pendleton Beckley, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause for hearing with cases Nos. 11 and 12 Original.

Henry C. King,
584. vs. Appellant.
N. B. Burkirk, Trustee, et al.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Frank Cox and Mr. W. R. Lilly in support of the same, and by Mr. Maynard F. Stiles in opposition thereto.

Thomas R. Marshall, as Governor of the State of Indiana, et al., vs. John T. Dye. Plaintiffs in Error

Mr. Addison C. Harris, of counsel for the defendant in error, suggested the death of John T. Dye, the defendant in error herein, and submitted to the consideration of the Court a motion to substitute Hugh Dougherty Executor of the said John T. Dye, deceased, as the defendant in error in this cause.

Thomas S. Marshall, as Governor of the State of Indiana, et al., vs. John T. Dye. Plaintiffs in Error,

Mr. Frank S. Roby, of counsel for the plaintiffs in error, suggested the election of Samuel M. Ralston as Governor of the State of Indiana, and the appointment of Will N. Thompson and John E. Hollett as members of the State Board of Election Commissioners of the State of Indiana, and submitted to the consideration of the Court a motion to substitute them as the parties plaintiffs in error in this cause.

706 Charles A. Davey, vs. The United States. Petitioner.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank S. Roby and Mr. Ward N. Watson, in support of the same, and

611 Stewart Mining Co., vs. Plaintiff in Error, Ontario Mining Co. et al. Mr. Charles S. Thomas, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

423. Frank Quinn et al., vs. The United States. On motion of Mr. Jackson N. Ralston, leave is hereby granted Mr. Moorfield Storey to file a printed brief herein as amicus curiae.

617 Toledo, St Louis & Western Railroad Co., vs. Petitioner. Anna Perunchio The petition for a writ of certiorari herein was submitted to the Court on printed arguments by Mr. C. E. Pope and Mr. Clarence Brown in support of the same, and by Mr. John L. Jeanniger in opposition thereto.

636 Cadillac Motor Car Co., vs. Petitioner. George W. Ray, Judge, &c. The petition for a writ of certiorari herein was submitted to the Court on printed arguments by Mr William Van Dyke and Mr. Otto Kirchner in support of the same and Mr. Andrew J. Nellis in opposition thereto.

611 G. and C. Merriam Co., Appellant, vs. The Syndicate Publishing Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William B. Hale in support of the same, and Mr. Hugh A. Bayne in opposition thereto.

703 Liberty Bell Gold Mining Co., Petitioner, vs. The Smuggler Union Mining Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Moorfield Storey in support of the same, and Mr. Joel F. Vaile, and Mr. Henry McAllister, Jr. in opposition thereto.

705 David Allegar, Petitioner, vs. American Car & Foundry Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank W. Hackett and Mr. Paul J. Sherwood in support of the same, and Mr. Fred Ikler and Mr. Clarence E. Sprout in opposition thereto.

694	Allen H. Walker, Petitioner. vs. Iowa Central Railway Co. et al.	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank W. Hackett in support of the same, and Mr. W. N. Brunner in opposition thereto.
10, Original	The State of Wisconsin, Complainant, vs. Franklin K. Lane, Secretary of the Interior.	On motion of Mr. Assistant Attorney General West, of counsel for the defendant, leave is hereby granted to file a motion to dismiss herein.
718	William W. Niles, Administrator, etc., Petitioner, vs. The Ludlow Valve Manufacturing Co.	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Harlwell Cabell and Mr. William W. Niles in support of the same, and Mr. Samuel Untermyer, Mr. Louis Marshall and Mr. Abraham Benedict in opposition thereto.
Original	Ex parte: In the matter of Young, Smythe Field Co., et al., Petitioners.	Mr. Mortimer C. Rhine, of counsel for the petitioners, submitted to the consid-

tition for a writ of mandamus herein

433. Frank Guinn et al vs. The United States — On motion of Mr. J. N. Adriaans, leave is hereby granted him to file a brief herein as amicus curiae

370. Union Pacific Railroad Co., Plaintiff in Error, vs. Laramie Stock Yards Co. — This cause was submitted to the consideration of the Court, pursuant to the twentieth rule, on the record and printed arguments by Mr. John W. Lacey and Mr. N. H. Loomis, of counsel for the plaintiff in error, and Mr. Roderick N. Matson and Mr. J. Blake Kennedy, of counsel for the defendant in error.

682. Union Pacific Railroad Co., Plaintiff in Error, vs. George A. Snow et al.

683. Union Pacific Railroad Co., Plaintiff in Error, vs. Martin V. Sides et al. — These cases were submitted to the consideration of the Court, pursuant to the twentieth rule, on the records and printed arguments by Mr. N. H. Loomis and Mr. C. C. Dorsey, of counsel for the plaintiff in error, and Mr. Milton Smith and Mr. Charles R. Brock, of counsel for the defendants in error.

1413. Union Pacific Railroad Co., Appellant, vs. The City of Greeley et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called to the attention of the Court by Mr. A. A. Hochling, Jr., of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

457. Stratton's Independence, Ltd., vs. F. W. Howbert, Collector of Internal Revenue, etc. On motion of Mr. Charles Henry Butler, leave is hereby granted Mr. William D. Guthrie to file a brief herein as amicus curiae.

535 William A. Wright, Comptroller of the State of Georgia, Petitioner vs. The Louisville & Nashville Railroad Co., et al. The petition of respondents for a cross writ of certiorari herein was submitted to the consideration of the Court by Mr. Joseph B. Cumming and Mr. Alex. C. King in support of the same.

Morris Canal & Banking Co., et al., Plaintiffs in Error, vs. David Baird et al. — On motion of Mr. Gilbert Collins, of counsel for the plaintiffs in error, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

1

Northwestern Pacific Railroad Co., Plaintiff in Error, vs. The United States. — In Error to the District Court of the United States for the Northern District of California.

31

This cause having been called to the attention of the Court by Mr. Evans Browne, in behalf of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed per Mr. Chief Justice White

Northern Pacific Railway Co., Appellant, vs. King County, Washington, et al. — Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

331

This cause having been called to the attention of the Court by Mr. Evans Browne, in behalf of

the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

The Atchison, Topeka & Santa Fe Railway Co. et al., Appellants, vs. The United States. 540

Mr. Evans Browne, in behalf of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

Pacific Live Stock Co., Petitioners, vs. Silvies River Irrigation Co., et al. 695

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Evans Browne, Mr. Edward F. Treadwell, Mr. Wirt Minor, Mr. A. B. Browne, and Mr. Alexander Britton in support of the same.

The State of Georgia, Complainant, vs. The Tennessee Copper Co., et al. 1, Original

Mr. Thomas S. Felder, of counsel for the complainant, submitted to the consideration of the Court a motion for leave to file a stipulation and agreement as

be continued until the October Term, 1916 of this Court.

The Chief Justice said:

It is my sad duty to announce to the gentlemen of the bar the death last night of Mr. James N. McKenney, the clerk of this Court. He was associated for more than fifty years with the work of the Court, and the expression of our sorrow needs no elaboration. As a mark of respect to his memory the Court will do no further business today, and will adjourn until tomorrow morning.

(Proclamation being made, the Court is adjourned

Wednesday, October 15th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
John M. Wright, Esquire, Marshal.
James D. Maher, Deputy Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Addison C. Harris, it is ordered that William E. Reiley and Charles W. Appleman, Esquires, of Indianapolis, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Colley W. Bell, it is ordered that Randolph Barton, Jr., Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in a
half by Mr. Andrew Wilson, it is ordered
Elton A. Longwer, Esquire, of Akron, Stat
Ohio, be admitted to practice as an attorn
counsellor of this Court. and he was sworn
ingly.

On motion first made to the Court in this
by Mr. Daniel S. Hays, it is ordered tha
Edwin D. Hays, Esquire, of New York City
admitted to practice as an attorney and c
lor of this Court, and he was sworn accord

On motion first made to the Court in t
half by Mr. Samuel Herrick, it is ordered
Thomas A. Hill, Esquire, of New York Cit
admitted to practice as an attorney and c
sellor of this Court, and he was sworn ac

On motion first made to the Court in th
half by Mr. Charles Henry Butler, it is
that Louis N. Friedman and Leland Ri
ritson, Esquiries, of New York City, be ad
to practice as attorneys and counsellors of
Court, and they were sworn accordingly.

356 Leon Cardenas Martinez
vs. Plaintiff in Error.
The State of Texas et al.

On motion of
Charles J. H
leave is hereb
given him to

writ of error in this cause.

516 — M. V. Kirkpatrick vs. Appellant, Wyatt A. Harnsberger, Trustee, &c. — The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. William N. Fleming in support of the same, and Mr. Samuel N. Myers in opposition thereto.

415 — Robert Russell, vs. Plaintiff in Error Charles E. Sebastian — Mr. William C. Prentiss, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

125 — The Title Guaranty & Surety Co. vs. Plaintiff in Error The United States to the use of The General Electric Co. — In Error to the United States Circuit Court of Appeals for the Third Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed without costs to either party.

132. Adams Express Co., vs Kaskel Solomon and Jacob Bibro, partners, doing business as K. Solomon & Co. — Plaintiff in Error — In Error to the Superior Court of the State of Pennsylvania.

It appearing to the Court that a stipulation of counsel for the respective parties herein to reverse the judgment of the Superior Court of the State of Pennsylvania in this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Superior Court for further proceedings.

Per Mr. Chief Justice White

428. John McKay, vs. The United States of America. — Plaintiff in Error — In Error to the District Court of the United States for the District of Minnesota.

It appearing to the Court that a stipulation of counsel for the respective parties herein to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that

is hereby, dismissed

Per Mr. Chief Justice White

	Rose McKay.	In Error to the Dis-
129	vs. Plaintiff in Error,	trict Court of the United
	The United States of America	States for the District
		of Minnesota.

It appearing to the Court that a stipulation of counsel for the respective parties herein to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice White

	Lucy Grace Musica.	In Error to the First
637	vs. Plaintiff in Error,	City Criminal Court
	The State of Louisiana	of the Parish of Orleans,
		State of Louisiana

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

638. Louis Musica. vs. The State of Louisiana — Plaintiff in Error. In Error to the First City Criminal Court of the Parish of Orleans. State of Louisiana

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

195. George N. Beddow. vs. The United States. — Plaintiff in Error. In Error to the District Court of the United States for the Western District of Michigan

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed.

Per Mr. Chief Justice White

356. Leon Cardenas Martinez. vs. The State of Texas et al. — Plaintiff in Error. It is ordered by the Court that this cause be, and the same is hereby.

Wednesday, October 15th, 1913. continued.

he United States of America
vs. Petitioner.
exington Mill & Elevator Co.

On motion of Mr. Solicitor General Davis, of counsel for the petitioner. It is ordered by the Court that this cause be, and the same is hereby, passed temporarily

he United States,
vs. Plaintiff in Error.
om Mosley et ae

On motion of Mr. Solicitor General Davis, of counsel for the plaintiff in error. It is ordered by the Court that the motion to advance this cause be, and the same is hereby, granted, and the cause assigned for hearing immediately after case No. 423.

he United States of America et al.
vs. Appellants,
he Ohio Oil Co.
e United States of America et al.
vs. Appellants,
tandard Oil Co.
he United States of America et al.
vs. Appellants,
e Standard Oil Co. of Louisiana
e United States of America et al.
vs. Appellants,
rairie Oil & Gas Co.
he United States of America et al.
vs. Appellants.

On motion of Mr. Solicitor General Davis. It is ordered by the Court that six hours be allowed for the argument of these cases. The argument of these cases was commenced by Mr. Solicitor General Davis.

308 The United States of America et al., Appellants, vs. Robert D. Benson et al. | The United States, and continued by Mr. John G. Milburn of counsel for the appellees in Nos. 481, 482, and 483, and by Mr. W. S. Fitzpatrick, of counsel for the appellee in case No. 506.

Proclamation being made, the Court is adjourned

Thursday, October 16th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James D. Maher, Deputy Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis it is ordered that Charles W. Gregg, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas M. Seawell, it is ordered that Dick Rice, Esquire, of Bentonville, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

1181	The United States of America et al., vs. The Ohio Oil Co.	Appellants,
1182	The United States of America et al., vs. The Standard Oil Co.	Appellants,
1183.	The United States of America et al., vs. The Standard Oil Co. of Louisiana	Appellants,
506	The United States of America et al., vs. Prairie Oil & Gas Co.	Appellants,
507	The United States of America et al., vs. The Uncle Sam Oil Co.	Appellants,
508.	The United States of America et al., vs. Robert D. Benson et al.	Appellants,

case No 508.

The argum
these cases
continued b
Albert L. P
of counsel fo
appellee in
and concluded
Mr. Charles
Needham, o
set for the
State Commi
Commission.
the case wa
mitted on a
ed argument
Mr. W. J. Lu
and Mr. Alb
F. Jones, of
for the appell

The Chief Justice then announced that the C
would now adjourn to attend the funeral of a
late Clerk of the Court.

Proclamation being made, the Court is adjourn

Friday, October 17th, 1913.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney,
Associate Justices.

John M. Wright, Esquire, Marshal.
James D. Maher, Deputy Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James Hamilton Lewis, it is ordered that George E. Gorman, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fulton Lewis, it is ordered that Charles Morris Howard and Richard N. Revanes, Esquires, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. E. Richardson, it is ordered that Thomas B. Sullivan, Esquire, of Carthage, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

1123.	Frank Guinn et al., vs. The United States.	On motion of Mr. Charles J. Kappler, leave is hereby granted Mr. John N. Burford to file a brief herein as amicus curiae.

1123.	Frank Guinn et al. vs The United States	On motion of Mr. Joseph W. Bailey, of counsel for Guinn et al., it is ordered by the Court that one hour and a half be allowed each side for the argument of this case.

1123.	Frank Guinn et al. vs. The United States.	This cause was argued by Mr. Joseph W. Bailey, of counsel for Guinn et al, and Mr. Solicitor General Davis, of counsel for The United States.

566.	The United States Plaintiff in Error, vs Tom Mosby et al.	This cause was submitted to the consideration of the Court on the record and a print

counsel for the plaintiff in error, with leave to counsel for the defendants in error to file a printed brief therein within fifteen days.

395 The United States
vs. Plaintiff in Error.
John N. Davis et al.

This cause was argued by Mr. Assistant Attorney General Knaebel, of counsel for the plaintiff in error, and Mr. Thomas M. Scavell, of counsel for the defendants in error.

275 The Delaware, Lackawanna & Western Railroad Co.,
vs. Plaintiff in Error.
The United States of America

This cause was argued by Mr. H. S. Jenney, of counsel for the plaintiff in error, and Mr. Assistant Todd, of counsel for the defendant in error.

439 The National City Bank of New York,
vs. Appellant,
Henry D. Hotchkiss, Trustee &c et al.

460 Henry D. Hotchkiss, Trustee, &c., et al.
vs. Appellants,
The National City Bank of New York.

The argument of these cases was commenced by Mr. John A. Garver, of counsel for The National City Bank of New York.

Proclamation being made, the Court is adjourned

Monday, October 20th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices

John M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that John L. Stout and Robert Lee Bartels, Esquires, of Memphis, State of Tennessee, and Truman Post Young, Esquire, of St. Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Winfred T. Denison, it is ordered that David L. Podell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monday, October 20th. 1913, continued

On motion first made to the Court in this behalf by Mr. Henry E. Davis, it is ordered that W. Kinney Barton, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred K. Cornwall, it is ordered that Ralph Kalish, Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Stone, it is ordered that W. Christy Bryan, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred Lee, it is ordered that George N. Wright, Esquire, of Asheville, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Davis, Jr., it is ordered that

of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel V. Hayden, it is ordered that Clinton R. Colvin, Ernest C. Root, and Walter F. Hendricks, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

1913 Oshiro Nakayama, Appellant, vs. W. R. Mansfield, Immigration Inspector. Mr. Solicitor General Davis, of counsel for the appellee, submitted to the consideration of the Court a motion to place this case on the summary docket.

64 N. Clay Pierce, Plff in Error, vs. The United States
65 N. Clay Pierce, Plff in Error, vs. The United States
66 Cornelius K. G. Billings, Plff in Error, vs. The United States
67 Cornelius K. G. Billings, Plff in Error, vs. The United States
73 Roy A. Rainey, Plff in Error, vs. The United States
74 Roy A. Rainey, Plff in Error, vs. The United States
623 The United States vs. N. Clay Pierce
624 The United States vs. N. Clay Pierce
625 The United States vs. Cornelius K. G. Billings
626 The United States vs. Cornelius K. G. Billings
627 The United States vs. Roy A. Rainey

Monday, October 20th, 1913, continued

629 The United States vs. James Gordon Bennett
630 The United States vs. James Gordon Bennett
631 The United States vs. Harriet Corlet
632 The United States vs. Harriet Corlet.

Mr. Solicitor General Davis, of counsel for The United States, submitted to the consideration of the Court a motion to advance these causes.

724 The Pacific Coast Steamship Co., Claimant, &c., vs. Petitioner. M. Anderson

725 The Pacific Coast Co., Claimant, &c. vs. Petitioner N. Jordan.

The petition for writs of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George W. Towle in support of the same, and Mr. William Denman in opposition thereto.

756 First National Bank of Dexter, New York, vs. Petitioner. Edmund K. Fox.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles L. Frailey, Mr. A. S. Worthington and Mr. Henry F. Woodard in support of the same, and Mr. J. J. Darlington in opposition thereto.

602. Norfolk & Western Railway Co., Petitioner. vs. Lora E. Hauser, Administratrix, etc. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Theodore W. Reath, in support of the same, and by Mr. Lindsay Patterson in opposition thereto.

757. Benjamin F. Edwards, Petitioner. vs. Edmund K. Fox — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. H. Millan in support of the same, and by Mr. J. J. Darlington in opposition thereto.

477. Julian Mansuri, Appellant, vs. C. O. Lord, Trustee, &c. — The motion to quash the writ of certiorari in this cause, or to place the cause on the summary docket, was submitted to the consideration of the Court on printed arguments by Mr. William N. Hawkins and Mr. N. B. K. Pettingill, in support of the same, and Mr. Frederic R. Coudert and Mr. Howard Thayer Kingsbury in opposition thereto.

Monday, October 20th, 1913, continued

Lumber Underwriters of New York et al.,
753. vs. Petitioners
O. C. Rife et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Robert Lee Barbels and Mr. Dent Minor in support of the same.

Wilson Cypress Co.,
119. vs. Appellant,
Enrique del Pozo y Marcos et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. W. Dewhurst and Mr. Joseph N. Jones in support of the same, and Mr. John C. Cooper in opposition thereto.

Marcelina Torres Zayas,
17 vs. Appellant and Plff in Error.
Lochrop, Luce & Co. et al.

The death of Pedro Juan Rosaly, one of the appellees herein, having heretofore been suggested, and an order of publication granted and issued, now, on motion of Mr. Horace A. Dodge, in behalf of counsel, It is ordered that Enriqueta Cabrera de Rosaly, widow of said Pedro Juan Rosaly, representing herself and her two minor children not emancipated, to wit, Pedro Juan Rosaly and Matilde Rosaly; and Sara Rosaly y Cabrera and Enriqueta Rosaly y Cabrera

Juan Rosaly, be made parties appellees and defendants in error in this cause.

Charles Anderson,
vs. Petitioner.
William N. Moyer,
Warden, etc.

Mr. Lamar Hill, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file and prosecute in forma pauperis the petition for a writ of certiorari herein.

Philadelphia, Baltimore & Washington Railroad Co.,
vs. Petitioner.
Southern Transportation Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Shirley Carter in support of the same.

St Paul Fire & Marine Insurance Co.,
vs. Petitioner.
Hachiroyemon Mitsui et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William Denman in support of the same, and Mr. Howard S. Harrington in opposition thereto.

Monday, October 20th, 1913. continued.

754. Grand Trunk Western Railway Co., Petitioner. vs. Gertrude Wilpin, Administratrix, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George W. Kretzinger and Mr. George W. Kretzinger, Jr., in support of the same and Mr. James C. McShane in opposition thereto.

715. The City of St. Louis, Petitioner. vs. The Chicago House Wrecking Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Truman P. Young and Mr. William E. Baird in support of the same.

594. The City of St. Louis, Petitioner. vs. The National Surety Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Truman P Young and Mr. William E. Baird in support of the same, and Mr. William C. Marshall in opposition thereto.

170 George Welsch, Plaintiff in Error, vs. Clement L. Riley, as Auditor of Licking County, Ohio; and Clement L. V. Holtz, as Treasurer of Licking County, Ohio. In Error to the Supreme Court of the State of Ohio.

This cause having been called to the attention of the Court by Mr. Frank Davis, Jr., of counsel for the defendants in error, and it appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

222. John W. Brown, Plaintiff in Error, vs. Clement L. V. Holtz, as County Treasurer, etc., et al. In Error to the Supreme Court of the State of Ohio.

This cause having been called to the attention of the Court by Mr. Frank Davis, Jr., of counsel for the defendants in error, and it appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in

of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

642. The Ohio River & Western Railway Co., Appellant, vs. Robert M Dilley et al.

643. The Marietta, Columbus & Cleveland Railroad Co., Appellant, vs. David S. Creamer, Treasurer, et al

Mr. Frank Davis, Jr., of counsel for the appellees, submitted to the consideration of the Court motions to advance these cases.

745. J. S. Harrison et al. Petitioners vs. Elizabeth Foley

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John Spalding Kennedy, Mr. F. D. McKenney and Mr. W. S. Cowherd in support of the same, and Mr. W. F. Guthrie in opposition thereto

12 Thomas W. McComb, Plaintiff in Error, vs. The Commonwealth of Pennsylvania.

On motion of Mr. John C. Gittings, in behalf of counsel It is ordered by the Court that this

the next term, per stipulation of counsel.

761. D. J. McDonald et al., Petitioners, vs. J. W. Sluss et al., etc. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. George N. Wright and Mr. Julius C. Martin in support of the same, with leave to counsel for the respondents to file a printed brief in opposition thereto on or before tomorrow.

27. George A. Luria, Appellant, vs. The United States. Appeal from the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Van Devanter

352. The United States of America, Plaintiff in Error, vs. Felipe Sandoval. In Error to the District Court of the United States for the District of New Mexico.

of the record from the District Court of the United States for the District of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court, with directions to overrule the demurrer to the indictment, and to proceed to the disposition of the case in the regular course.

Per Mr. Justice Van Devanter.

William J. Wood, John F. McClure, Frank E. Payne et al., Appellants, vs. Vandalia Railroad Co. 11

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Indiana, with directions to dismiss the bill without prejudice.

Ex parte: In the matter of Assets Collecting Co., Petitioner
— Original.

On consideration of the motion for leave to file a petition for a writ of certiorari or a writ of mandamus herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

Ex parte: In the matter of Young, Smythe, Field Co., et al.,
— Original Petitioners.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

The State of Georgia. Complainant,
1, Original vs.
The Tennessee Copper Co. et al

On consideration of the motion for leave to file the stipulation of counsel for the respective parties herein, and that the cause be continued until the October Term, 1916, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

Monday, October 20th, 1913, continued.

Wells, Fargo & Co. Express,
vs. Plaintiff in Error,
D. H. Ford.

On consideration of the motion to amend the writ of error in this cause by inserting therein the name of "The United States Fidelity & Guaranty Company" as a party plaintiff in error, It is now here ordered by the Court that said motion be, and the same is hereby, granted and that the said "The United States Fidelity & Guaranty Company be, and it is hereby, made a party plaintiff in error in this cause.

Per Mr. Chief Justice White.

548 The United States of America,
vs. Petitioner.
Lexington Mill & Elevator Co.

On consideration of the motion to reassign this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the case reassigned for argument on the first Monday in January 1914.

Per Mr. Chief Justice White.

415 Robert Russell,
vs. Plaintiff in Error,
Charles E. Sebastian

On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday in January, 1914, after the cause heretofore assigned for that day.

Mary Genevieve Pennell,
Administratrix, etc.,
169. vs. Plaintiff in Error.
Philadelphia & Reading
Railway Co.

On consideration of the motion to place this cause on the summary docket, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

The City of Louisville,
Kentucky,
538. vs. Appellant,
The Cumberland Tele-
phone & Telegraph Co.

On consideration of the motion to advance this cause for hearing with cases Nos. 11 and 12, Original, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

The Atchison, Topeka &
Santa Fe Railway Co., et al.,
390. vs. Appellants,
The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of December next.

Per Mr. Chief Justice White

611 Stewart Mining Co., vs. Plaintiff in Error, Ontario Mining Co. et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

535 William A. Wright, Comptroller General of the State of Georgia. vs. Petitioner. Louisville & Nashville Railroad Co., et al. On consideration of the petition for a writ of certiorari herein, It is now here ordered by the Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

709 The United States, vs. Petitioner. Nipissing Mines Co. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

711 James Sim, Petitioner, vs. William Edenborn — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

712. Thomas L. Alder, Petitioner, vs. William Edenborn — On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

Peter W. Rickard, Receiver, etc., Petitioner
vs.
The Coal & Iron Railway Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

578.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Toledo, St Louis & Western Railroad Co., Petitioner
vs.
Anna Perucchis

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

617.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

636 Cadillac Motor Car Co., Petitioner. vs. George W. Ray, Judge of the District Court of the United States for the Northern District of New York. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

644 G. & C. Merriam Co., Appellant, vs. The Syndicate Publishing Co On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Monday, October 20th, 1913, continued.

694 Allen N. Wadkins, Petitioner, vs. Iowa Central Railway Co., Clarence Nelson and J. W. Spence. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

695 Pacific Live Stock Co., Petitioner, vs. Silvies River Irrigation Co. and Harney Valley Improvement Co. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby denied.

per Mr. Chief Justice White

698 Francis P. B. Sands, Petitioner, vs. Henrietta S. Anderson — On petition for a writ of certiorari to the Court of Appeals of the District of Columbia

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

702 Henry Baetz, Petitioner, vs. Schoenlau-Kuck Kuck Trunk Top & Veneer Co., and Frederick Kuck Kuck. — On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

703 Liberty Bell Gold Mining Co. vs. The Smuggler Union Mining Co. Petitioner

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

703 David Allegar, vs. American Car & Foundry Co. Petitioner.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

716 Charles A. Davey. vs. The United States. Petitioner. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

716. Millard F. Field. vs. Howard D. Colman. Petitioner, On petition for a writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

William W. Niles, as Administrator, etc., of Isabel W. Niles, deceased. vs. The Ludlow Valve Manufacturing Co. 718. Petitioner.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Riverside Heights Orange Growers Association and George D. Parker. vs. Fred Stebler 719. Petitioners.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Cherokee Tanning Extract Company, et al., Petitioners, vs. George N. Leonard et al. 734

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Order.

It is hereby ordered that James D. Maher be appointed Clerk of this Court in the place of James N. McKenney, deceased, and that he forthwith take the oath of office and give bond conditioned according to law.

Per Mr. Chief Justice White.

The Chief Justice then said:

In entering the order appointing a Clerk because of the death of Mr. McKenney, the Court is unwilling to let the occasion pass without making some note on its records of the character of the services rendered by Mr. McKenney to the Court and the country for so long a time, and also without expressing for permanent record

ful at the loss which has been occasioned by the death of Mr. McKenney. Mr. McKenney became connected with the work of the Court as far back as 1858, first as a junior clerk, then as acting deputy, then, when the statute authorized it, as the deputy clerk; and finally, in 1880, upon the death of Mr. Middleton, he became clerk of the court. During all that long period of more than fifty years, with diligence, with fidelity, and with honor, he served the Court and the country. The consolation at his loss to the court and the country is this: That no one can look over the period of time during which he served and consider the grave subjects with which the Court dealt during that time, and with reference to which the clerk was called upon within his sphere of duty to act, and deny that the effect of those services so faithfully rendered, redounded to the benefit of the people of the country and to the preservation of our constitutional system of government which remains as the safeguard of every right and the guaranty of the liberties of all. The consolation of those united to him by ties of kindred and personal affection is that they have the heritage of a long, virtuous and well-spent life which, if contemplated in the light of faith, brings to them the assurance that its rectitude finds place on the minutes of that Court of everlasting and infinite power to which all human conduct must come for ultimate judgment; and that that record

whose loss they deplore, is gone to his everlasting reward."

The oath of office and the bond of the Clerk are in the following words, viz:

"I, James D. Maher, being appointed Clerk of the Supreme Court of the United States, do solemnly swear that I will truly and faithfully enter and record all the orders, decrees, judgments and proceedings of the said Court, and that I will faithfully and impartially discharge and perform all the duties of my said office, according to the best of my abilities and understanding. So help me God.

(Signed) James D. Maher.

Sworn and subscribed to before me, this 20th day of October, A. D. 1913.

(Signed) Edward D. White
Chief Justice of the
United States"

"Know all men by these Presents, That we, James D. Maher as principal, and Equitable Surety Company as surety are held and firmly bound unto The United States of America in the penal sum of Twenty Thousand Dollars ($20,000.00) lawful money of the United States, to be paid to the said United States of America, or their certain attorney, to which payment, well

such of our heirs, executors, administrators and assigns, jointly and severally, firmly by these presents.

"Sealed with our seals and dated this 20th day of October, A. D. 1913.

"Whereas, the above bounden James D. Maher hath been appointed Clerk of the Supreme Court of the United States,

"Now, therefore, the condition of the above obligation is such that if he, the said James D. Maher, shall faithfully discharge the duties of his said office, and seasonably record the decrees, judgments and determinations of the said Supreme Court of the United States, then this obligation to be void, otherwise to remain in full force and virtue in law.

Signed, sealed and delivered in the presence of (Signed) P. R. Stansbury (Signed) N. C. McKenney.

(Signed) James D. Maher (Seal)

Equitable Surety Company, by (Signed) Albert W. Willett, Attorney in fact. (Seal)

Approved October 20th. 1913, by order of the Court.

(Signed) Edward D. White Chief Justice of the United States."

160. Manhattan Life Insurance Co., of New York et al., vs. Plaintiffs in Error, David Cohen, Independent Executor, &c.

The motion to affirm and for damages in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Wilmer S. Hunt in support of the same, and Mr. W. J. Mooney in opposition thereto.

191. A. Straus, vs. Appellant, W. L. Foxworth.

This cause was submitted to the consideration of the Court, pursuant to the twentieth rule, on the record and printed arguments, by Mr. William C. Reid, of counsel for the appellant, and Mr. Harry A. McElroy, of counsel for the appellee.

159 The National City Bank of New York, vs. Appellant, Henry D. Hotchkiss, as Trustee, etc., et al.

160 Henry D. Hotchkiss, as Trustee, etc., et al., vs. Appellants, The National City Bank of New York.

The argument of these cases was continued by Mr. John A. Garver, of counsel for The National City Bank of New York, and Mr. Abram I. Elkus, of counsel for Hotchkiss, Trustee, and concluded by Mr. John A. Garver,

Monday, October 20th, 1913, continued.

1116 The Mechanics & Metals National Bank of the City of New York, et al., vs. Appellants, Irving L. Ernst, et al., Trustees, &c.

The argument of this cause was commenced by Mr. Lewis N. Freedman, of counsel for the appellants; continued by Mr. Daniel P. Hays, of counsel for the appellees, and concluded by Mr. Lewis N. Freedman, of counsel for the appellants.

Proclamation being made, the Court is ad-

Tuesday. October 21, 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present.

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal,
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that Walter C. Owen, Esquire, of Maiden Rock, and James A. Frear, Esquire, of Hudson, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court, and they were severally sworn accordingly.

Charles Maibaum, Appellant,
vs.
The United States.

On motion of Mr. Elijah N. Zoline, of counsel for the appellant, It is ordered by the Court that this cause be, and the same

Carl Oliver.
vs. Plaintiff in Error.
The State of Texas

Mr. Evans Browne, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to docket this cause and proceed in forma pauperis.

The Glenwood Light & Water Co.
375 vs. Appellant,
The Town of Glenwood Springs.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John A. Rush in support of the same, and Mr. William N. Bryant, Mr. George L. Nye, and Mr. William P. Malburn in opposition thereto. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. William N. Bryant, Mr. George L. Nye and Mr. William P. Malburn in support of the same, and Mr. John A. Rush in opposition thereto.

Stratton's Independence, Ltd.,
435 vs.
F. W. Howbert, Collector of Internal Revenue, &c.

This cause was argued by Mr. William V. Hodges, of counsel for Stratton's Independence, Ltd., and Mr. Assistant Attorney General

granted to counsel for Howbert, Collector, to file an additional brief within five days.

165 Albert B. Cameron, Petitioner. vs. The United States. This cause was argued by Mr. Howard S. Gans, of counsel for the petitioner, and Mr. Assist ant Attorney General Denison, of counsel for the respondent.

466 The United States, Petitioner. vs. Frederick W. Whitridge as Receiver, etc., et al.

467 The United States, Petitioner. vs. Adrian N. Jolins et al., as Receivers, etc.

These cases were argued by Mr. Assistant Attorney General Graham, of counsel for the petitioner and Mr. Joseph N. Choate, Jr., of counsel for the respondents in case No. 466, and Mr. Arthur H. Masten, of counsel for the respondents in case No. 467.

Proclamation being made, the Court is adjourned

Wednesday, October 22d, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Mathew E. O'Brien, it is ordered that John E. Egan, Esquire, of Dayton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that L. Bibb Jacobs, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Wednesday October 22d, 1913. continued

On motion first made to the Court in this behalf by Mr. Cass E. Herrington, it is ordered that Albert L. Vogl and Albert S. Brooks, Esquires, of Denver, State of Colorado, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

503 The United States, Petitioner. vs. James B. Regan

This cause was argued by Mr. Assistant Attorney General Denison, of counsel for the petitioner, and Mr. David L. Podell, of counsel for the respondent.

153 Chins Lee, Plaintiff in Error, vs. The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Allison D. Gibbs, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Denison, of counsel for the defendant in error.

348 The United States, Plaintiff in Error, vs. Samuel E. Moist

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Denison, of counsel for the plaintiff in error, and Mr. Roy D. Keehn, of counsel for the defendant in error.

	The Eastern Extension Australasia & China Telegraph Co., Ltd.,	This cause was argued by Mr. Louis Marshall, of counsel for the appellant, and by Mr. Assistant Attorney General Thompson, of counsel for the appellee.
117.	vs. Appellant,	
	The United States.	
	C. M. Summers,	The argument of this cause was commenced by Mr. Albert Funk, of counsel for the petitioner.
502.	vs. Petitioner.	
	The United States.	

Proclamation being made, the Court is ad

Thursday. October 23d. 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney,
Associate Justices.
John M. Wright, Esquire, Marshal
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. William O. Bradley, it is ordered that Robert B. Franklin, Esquire, of Frankfort, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank J. Hogan, it is ordered that John N. Perry, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard Taylor, it is ordered that Charles E. Morgan, 3d, Esquire, of Philadelphia, State of Pennsylvania, and Charles B. Bradley, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Whelan, it is ordered that Laurence C. Kingsland, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

502. C. M. Summers, Petitioner, vs. The United States. The argument of this cause was continued by Mr. Assistant Attorney General Watkins, of counsel for the respondent, and concluded by Mr. Albert Fink, of counsel for the petitioner.

401 Thomas R. Marshall, Governor, &c., et al., Plaintiffs in Error, vs. John T. Dye. The argument of this cause was commenced by Mr. Frank E. Roby, of counsel for the Plaintiffs in error; continued by Mr. Addison C. Harris, of counsel for the defendant in error, and concluded by Mr. Dan W. Simms, of counsel for

168 Charles Wilson, alias Charles Willard. vs. Plaintiff in Error. The United States

169 Catherine Wilson alias Joe Willard. vs. Plaintiff in Error. The United States.

These cases were submitted to the consideration of the Court on the record and printed arguments by Mr. Elijah N. Zoline, of counsel for the plaintiffs in error, and by Mr. Assistant Attorney General Denison, of counsel for the respondent.

382. Grand Trunk Railway Co. of Canada et al., vs. Appellants, Michigan Railroad Commission et al.

The argument of this cause was commenced by Mr. George W. Kretzinger, Jr., of counsel for the appellants

Proclamation being made, the Court is adjourned

Friday, October 24th 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Edward T. Blair, Esquire, of Sheridan, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Hochling, Jr. it is ordered that Frank Kenna, Esquire, of New Haven, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Luther M. Walter, it is ordered that Wylie M. Barrow, Esquire, of Baton Rouge, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

146. Union Pacific Railroad Co., Appellant, vs. The Denver, Laramie & Northwestern Railway Co. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called to the attention of the Court by Mr. A. A. Hochling, Jr., of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

51. St. Louis Gunning Advertising Co., Plaintiff in Error, vs. City of St. Louis et al In Error to the Supreme Court of the State of Missouri.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation, it is

that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

382. Grand Trunk Railway Co. of Canada, et al., Appellants, vs. Michigan Railroad Commission et al.

The argument of this cause was continued by Mr. George W. Kretzinger, Jr., of counsel for the appellants, and Mr. Hal N. Smith, of counsel for the appellees, and concluded by Mr. George W. Kretzinger, Jr., of counsel for the appellants.

439. The Missouri, Kansas & Texas Railway Co. of Texas et al., (Petitioners) vs. The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Joseph M. Bryson and Mr. Cecil N. Smith, of counsel for the petitioners, and by Mr. Assistant Attorney General Denison, of counsel for the respondent.

550 William C. MacBride, Individually and as President, &c., et al., Appellants, vs. The United States.

On motion of Mr. Howard Taylor, of counsel for the appellants, It is ordered by the Court that

Friday, October 24th. 1913. continued

the same is hereby, advanced for hearing with case No. 511.

511 The Eastern States Retail Lumber Dealers' Association et al.. vs. Appellants, The United States.

550 William L. MacBride, Individually and as President, etc., et al, vs. Appellants, The United States.

It is ordered by the Court that four and a quarter hours be allowed for the argument of these cases.

511 The Eastern States Retail Lumber Dealers' Association et al., vs. Appellants, The United States

550 William L. MacBride, Individually and as President, etc., et al.. vs. Appellants, The United States.

The argument of these cases was commenced by Mr A. B. Cruikshank, of counsel for the appellants in case No. 511.

Proclamation being made, the Court is adjourned

Monday, October 27th, 1913

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.

John M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Monroe Buckley, it is ordered that Noah H. Swayne, 3d, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jackson H. Ralston, it is ordered that James E. Trask, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monday. October 27th. 1913, continued.

On motion first made to the Court in this behalf by Mr. Henry P. Blair, it is ordered that Alton M. Wales, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Patrick J. Farrell, it is ordered that Harvey H. Smith, Esquire, of Shawnee, State of Oklahoma, and Robert O. Bacon, Esquire, of Brattleboro, State of Vermont, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that William L. McCormick Esquire, of Tacoma, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James C. Agnew, it is ordered that A. Orieto Ciccarello, Esquire, of Hoboken, and Frederick J. Stuhr, Esquire, of Jersey City, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Charles Anderson,
vs. Petitioner.
William H. Moyer,
Warden of the U. S.
Penitentiary at Atlanta
Ga.

On consideration of the motion for leave to file a petition for a writ of certiorari and prosecute the same in forma pauperis, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Carl Oliver,
vs. Plaintiff in Error,
The State of Texas.

On consideration of the motion for leave to docket this cause and prosecute the same in forma pauperis, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

No. 493.

Yoshiro Nakayama,
vs. Appellant,
W. R. Mansfield, Immigration Inspector, etc.

On consideration of the motion to place this cause on the summary docket, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

Monday, October 27th 1913, continued.

614 & 615 N. Clay Pierce, Plff in Error, vs. The United States
616 & 617 Cornelius K. G. Billings, Plff in Error, vs. The United States
730 & 731 Roy A. Rainey, Plff in Error vs. The United States
623, 624 The United States vs. N. Clay Pierce
625 & 626 The United States vs. Cornelius K. G. Billings
627, 628 The United States vs. Roy A. Rainey
629, 630 The United States vs. James Gordon Bennett
631 & 632 The United States vs. Harriet Corbet

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

The Ohio River & Western Railway Co.,
612 vs. Appellant,
Robert M. Dilley et al.;
as the Tax Commission of Ohio, et al.
The Marietta, Columbus & Cleveland Railroad Co.,
613. vs. Plaintiff in Error,
David S. Creamer, Treasurer, Co., et al.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, granted and the cases assigned for argument on the first Monday in January next, after the cases heretofore assigned for that date.

Per Mr. Chief Justice White

477 Julian Munsuri, Appellant vs. C. O. Lord, Trustee, &c. On consideration of the motion to quash the writ of certiorari in this cause or to place the case on the summary docket, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

160 Manhattan Life Insurance Co. of New York et al., Plaintiffs in Error, vs. David Cohen, Independent Executor, &c On consideration of the motion to affirm and for damages in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

492 Wilson Cypress Co., Appellant, vs. Enrique del Pozo y Marcos et al. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Bluefields Steamship Co. Ltd., et al.,
296 vs. Appellants,
Frederick M. Steele et al.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White

Lumber Underwriters of New York et al.,
353 vs. Petitioners.
O. C. Rife et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

D. J. McDonald et al.,
361 vs. Petitioners.
J. W. Press and J. W. Winbourne, partners, etc. as Press & Winbourne.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

497 — St Paul Fire & Marine Insurance Co., Petitioner vs. Hachiroyemon Milsui et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the arguments of counsel thereupon had, as well in suppore of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

514 — The City of St Louis, Petitioner, vs. The National Surety Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit

of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied

per Mr. Chief Justice White

602. Norfolk & Western Railway Co., Petitioner vs Cora E. Hauser, Administratrix, etc. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

715 The City of St. Louis, Petitioner vs. The Chicago House Wrecking Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in sup-

by this Court that the said petition be, and the same is hereby, denied.

Per Mr Chief Justice White.

723 Philadelphia, Baltimore & Washington Railroad Co., Petitioner vs. Southern Transportation Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr Chief Justice White

724 The Pacific Coast Steamship Co., Claimant, &c. Petitioner vs. M. Anderson On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

725 The Pacific Coast Co., Claimant, etc., vs. N. Jordan. Petitioner.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

748 J. S. Harrison et al., vs. Elizabeth Foley. Petitioners.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be and the same is hereby, denied.

Per Mr. Chief Justice White

	Grand Trunk Western Railway Co.,	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.
754	vs. Petitioner,	
	Gertrude Gilpin, Administratrix, etc.	

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

	First National Bank of Dexter, New York,	On petition for writ of certiorari to the Court of Appeals of the District of Columbia.
756	vs. Petitioner,	
	Edmund K. Fox.	

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

757	Benjamin F. Edwards vs. Petitioner. Edmund K. Fox.	On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

573	The Glenwood Light & Water Co., vs. Appellant The Town of Glenwood Springs.	Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

575. The Glenwood Light & Power Co., Appellant, vs. The Town of Glenwood Springs

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

153. Chino Lee, Plaintiff in Error, vs. The United States.

In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed

Per Mr. Chief Justice White

584 Henry C. King, Appellant, vs. W. S. Bushnell, Trustee, et al.

Appeal from the United States Circuit Court of Appeals for the Fourth Circuit.

receipt of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

Order.

On the application of the Clerk, pursuant to Section 221 of the Judicial Code, It is ordered that Henry C. McKenney be, and he is hereby, appointed Deputy Clerk of this Court.

The oath of the Deputy Clerk is as follows:

"I, H. C. McKenney, being appointed a Deputy Clerk of the Supreme Court of the United States, do solemnly swear that I will truly and faithfully enter and record all the orders, decrees, judgments and proceedings of the said Court, and that I will faithfully and impartially discharge and perform all the duties of my said office, according to the best of my abilities and understanding. So help me God.

(Signed) H. C. McKenney.

Subscribed and sworn to before me this 27th day of October, A. D. 1913.

(Signed) Edward D. White

8 Joanna Little vs. Plaintiff in Error, J. J. Williams et al. On motion of Mr. Solicitor General Davis, leave is hereby granted to file a suggestion herein on behalf of the United States as amicus curiae

82. Chapman & Dewey Lumber Co. et al., vs. Plaintiffs in Error, The Board of Directors of St. Francis Levee District On motion of Mr. Solicitor General Davis, leave is hereby granted to file a suggestion herein on behalf of the United States as amicus curiae

520 Pacific Creosoting Co., vs. Plaintiff in Error, The United States. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Davis and Mr. Assistant Attorney General Adkins in support of the same, and Mr. George E. de Steiguer in opposition thereto

710 The United States. vs. Plaintiff in Error, Hardaway Young Mr. Solicitor General Davis, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to amend

Monday, October 27th. 1913. continued

710	The United States vs. Plaintiff in Error. Hardaway & Young	Mr. Solicitor General Davis, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

727	The United States, vs. Plaintiff in Error, Willis M. Birdsall	Mr. Solicitor General Davis, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance these causes.
728	The United States vs. Plaintiff in Error. Thomas E. Brents	
729	The United States vs. Plaintiff in Error Everett E. Van Nest.	

610	Samuel Gompers et al., vs. Plffs in Error and Apfts., The United States	Mr. Jackson H. Ralston, of counsel for the plaintiffs in error and appellants, submitted to the consideration of the Court a motion to advance this cause

760	Robert C. Bacon et al. vs. Appellants, Rutland Railroad Co.	Mr Robert C. Bacon of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

766	John A. S. Brown et al., vs. Austin B. Fletcher et al.	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles N. Burr, in support of the same, and Mr. William L. S. Melvin in opposition thereto.
688	John Roney et al., vs. N. J. Van Ness	Plaintiffs in Error, The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. Theodore A. Bell in support of the same.
763	American Bell Telephone Co., vs. Western Union Telegraph Co.	Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles N. Bovan, Mr. John C. Gray and Mr. Frederick P. Fish in support of the same, and Mr. J. N. Benton and Mr. Rush Taggart in opposition thereto.
1123	Frank Quinn et al., vs. The United States.	On motion of Mr. William L. Marbury, leave is hereby granted him to file a brief here-

732	Emil T. Palmenberg et al., vs. W. S. Butler & Co.	Petitioners.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Harvey N. Pratt in support of the same, and Mr. Charles F. Choate, Jr., Mr. Frederick N. Nash and Mr. Boyd B. Jones in opposition thereto.

733	Morris Blackstone et al., vs. Everybody's Store, Inc., et al.	Petitioners.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Harvey N. Pratt in support of the same, and Mr. Charles F. Choate, Jr., Mr. Frederick N. Nash and Mr. Boyd B. Jones in opposition thereto.

622	Hartford Life Insurance Co., Hartford, Conn., vs. Eliza Ibs.	Plaintiff in Error;

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. D. O'Brien in support of the same, and Mr. James C. Jones in opposition thereto.

Ellen Connelley, Administratrix, etc.,
764 vs. Petitioner.
Pennsylvania Railroad Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Francis Rawle in support of the same.

Juan M. Ceballos
and John M. Fiske
2 vs.
Anderson C. Wilson

On motion of Mr Evans Browne, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed, per stipulation of counsel.

Emilia Alzua et al.,
316 vs. Plaintiffs in Error.
E. Finley Johnson

The motion to affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. Evans Browne, Mr. A. B. Browne, Mr. Alexander Shelton and Mr. W. A. Kincaid in support of the same, and Mr. Henry W Van Dyke, Mr. Charles A. Douglas and Mr N A Obear in opposition thereto.

William S. Lovell, Trustee, &c.,
251 vs. Plaintiff in Error;
Henry Hentz & Co. et al.

The motion to dismiss or affirm in this cause was submitted to the

printed arguments by Mr. Phelan Beale, in support of the same, and Mr. Walter Perry in opposition thereto.

413 John Feller, Plaintiff in Error, vs. The State of New Jersey. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Robert N. McCarter, Mr Edmund Wilson and Mr. Pierre S. Garvin in support of the same, and Mr Marshall Van Winkle and Mr. Gilbert Collins in opposition thereto.

113 James Talcott, Appellant, vs. Alfred E. Ommen, as Trustee, etc. 114 Alfred E. Ommen, as Trustee, etc., Appellant, vs. James Talcott. Appeals from the United States Circuit Court of Appeals for the Second Circuit.

It appearing to the Court that stipulations of counsel for the respective parties in this cause to dismiss these appeals have been filed, Therefore, in pursuance of said stipulations It is now here ordered, adjudged and decreed by this Court that these appeals be, and the

either party.

Per Mr. Chief Justice White.

	The Eastern States Retail Lumber Dealers' Association et al.,	The argument of these cases was continued by Mr. N. B. Constant, of counsel for the appellants in case No. 511, and Mr. Assistant to the Attorney General Todd, of counsel for The United States, and concluded by Mr. Howard Taylor, of counsel for the appellants in case No. 550.
511	vs. Appellants,	
	The United States.	
	William C. MacBride, etc., et al.	
550	vs. Appellants,	
	The United States.	

	The Atchison, Topeka & Santa Fe Railway Co. et al.,	On motion of Mr. Robert Dunlap, of counsel for the appellants, four hours are allowed for the argument of this case.
534	vs. Appellants,	
	The United States et al.	

	The Atchison, Topeka & Santa Fe Railway Co., et al.,	The argument of this cause was commenced by Mr. Robert Dunlap, of counsel for the appellants, and con-
534	vs. Appellants,	
	The United States et al.	

Monday, October 27th. 1913. Continued.

counsel for The United States.

On motion first made to the Court in this behalf by Mr. Attorney General McReynolds. it is ordered that James E. Gresham, Esquire, of Wewoka, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Proclamation being made, the Court is ad-

Tuesday, October 28th, 1913.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M Wright, Esquire, Marshal,
James D Maher, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that J. O. Henson, Esquire, of Martinsburg, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

The Atchison, Topeka & Santa Fe Railway Co et al., Appellants,
539. vs
The United States et al.

The argument of this cause was continued by Mr. Blackburn Esterline, of counsel for The United States, Mr. William E. Lamb, of

Farrell, of counsel for the Interstate Commerce Commission, and concluded by Mr. C. W. Dunbrow, of counsel for the appellants.

Mayor and Aldermen of the City of Vicksburg,
316 vs. Appellants,
W. A. Henson, Receiver, etc., et al.

This cause was argued by Mr. Edgar N. Farrar, of counsel for the appellees, and submitted on a printed argument by Mr. T. C. Catchings, Mr. O. W. Catchings and Mr. George Anderson, of counsel for the appellants.

Houston East & West Texas Railway Co. et al.,
367 vs. Appellants.
The United States et al.
The Texas & Pacific Railway Co. et al.,
368 vs. Appellants,
The United States.

The argument of these cases was commenced by Mr. N. M. Garwood, of counsel for the appellants.

Proclamation being made, the Court is adjourned

Wednesday, October 29th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
John M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened

736 Ruch Kramer, Petitioner. vs. E. W. Kramer

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Augustus O. Bacon in support of the same, and Mr. Edgar Watkins in opposition thereto.

567 Houston East & West Texas Railway Co. et al., Appellants, vs. The United States et al

The argument of these cases was commenced by Mr. N. M. Garwood, of counsel for the appellants,

Wednesday, October 29th. 1913. continued.

368.	The Texas & Pacific Railway Co., et al., vs. The United States et al	Appellants,

and Mr. Luther M. Walker, of counsel for the Intervenors, Mr. Assistant Attorney General Denison of counsel for The United States, and Mr. P. J. Farrell, of counsel for the Interstate Commerce Commission, and concluded by Mr. N. M. Garwood, of counsel for the appellants.

571	The Kansas City Southern Railway Co., vs. The United States et al	Appellant,

The argument of this cause was commenced by Mr. Samuel Untermyer of counsel for the appellant.

Proclamation being made, the Court is adjourned

Thursday, October 30th, 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. T. S. Curtis, it is ordered that Edwin W. Senior, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Needham, it is ordered that Howard C. Hopson, Esquire, of Madison, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Thursday, October 30th, 1913, continued.

On motion first made to the Court in this behalf by Mr. Winfred T. Denison, it is ordered that Archibald Palmer, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

15. The People of Porto Rico, Appellant vs. Pierre Emanuel, Baron de Laurens d'Oiselay

On motion of Mr. Felix Frankfurter, of counsel for the appellant, It is ordered that this cause be, and the same is hereby, passed, on account of sickness of counsel for the appellee.

571. The Kansas City Southern Railway Co., Appellant, vs. The United States et al.

The argument of this cause was continued by Mr. Samuel Untermyer, of counsel for the appellant, Mr. Charles W. Needham, of counsel for the Interstate Commerce Commission, and Mr. Assistant Attorney General Denison, of counsel for The United States, and concluded by Mr. Samuel Untermyer, of counsel for the appellant.

257. The United States, Petitioner, vs. Twenty Five Packages of Panama Hats, &c.

This cause was argued by Mr. Assistant Attorney General Adkins, of counsel for the peti-

N. Washburn, of counsel for the respondent.

3. The Mayor and Aldermen of the City of Vicksburg, vs. Appellants, Vicksburg Water Works Co

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. T. C. Catchings, Mr. O. W. Catchings and Mr. George Anderson, of counsel for the appellants, and Mr. Joseph Hirsh and Mr. J. C. Bryson, of counsel for the appellee.

5. Luciano Chavez et al., vs. Appellants, Eloisa Luna de Bergere et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. B. Renshaw, of counsel for the appellants, and Mr. T. B. Catron, of counsel for the appellees.

7 Annie Lapina, vs. Petitioner. William Williams, Commissioner of Immigration

On motion of Mr William Hawkins, of counsel for the petitioner, It is ordered by the Court that this cause be, and the same is hereby, passed temporarily

Thursday, October 30th, 1913, continued

8. Joanna Little, Plaintiff in Error, vs. J. J. Williams et al. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Henry Craft, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

9 New Louisville Jockey Club et al., Plaintiffs in Error, vs. The City of Oakdale et al.

10. Lennox Land Co., Plaintiff in Error, vs. City of Oakdale et al.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. W. N. Field and Mr. Bernard Flexner, of counsel for the plaintiffs in error, with leave to counsel for the defendants in error to file printed briefs on or before November 5th next.

13 George E. Tinker, Plaintiff in Error, vs. Midland Valley Mercantile Company. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Charles N. Merillat, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

Otis Monson,
14 vs. Plaintiff in Error,
S. J. Simonsen

This cause was submitted to the consideration of the Court on the record by Mr. W. D. Munn, of counsel for the plaintiff in error, with leave to him to file a printed brief herein within ten days. No counsel appeared for the defendant in error.

Proclamation being made the Court is ad-

Friday, October 31st, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Blackburn Esterline, it is ordered that Cleves Kinkead, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Daish, it is ordered that Francis C. McMillin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

16. The Detroit United Railway, Plaintiff in Error, vs. The People of the State of Michigan

421. The Detroit United Railway, Plaintiff in Error, vs. The City of Detroit

It is ordered by the Court that these cases be, and they are hereby, continued until the next term, per stipulation of counsel.

32. The Singer Manufacturing Company, Appellant, vs. Wirt Adams, State Revenue Agent of Mississippi, et al.

Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

It appearing to the Court that a joint motion of counsel for the respective parties in this cause to dismiss this appeal has been filed. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

17 Marcelina Torres Zayas, Appellant and Petitioner in Error, vs. Lothrop, Luce & Co., et al

This cause was argued by Mr. C. M. Bowman, of counsel for the appellant and plaintiff in error, and Mr. Mal-

fendants in error.

20 Frances A. Miedreich, Plaintiff in Error, vs. Constanze Lowenstein

This cause was argued by Mr. L. T. Michener, of counsel for the defendant in error, and submitted on a printed argument by Mr. George K. Denton, of counsel for the plaintiff in error.

28 The Pullman Co., Appellant, vs. W. V. Knott, Comptroller of the State of Florida.

155 The Pullman Co., Appellant, vs. W. V. Knott, Comptroller of the State of Florida et al.

The argument of these cases was commenced by Mr. Frank B. Kellogg, of counsel for the appellant, and continued by Mr. J. F. West, of counsel for the appellees.

Proclamation being made, the Court is adjourned until Monday next, at ten o'clock.

Monday, November 3d. 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna,
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Jesse C. Adkins, it is ordered that Frank W. Aitken, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. P. Bryan, it is ordered that John C. Durant, Esquire, of Brooksville, State of Florida be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Blackburn Esterline, it is ordered that Charles Harwood Morris, Esquire, of Frankfort, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick B. Tyler, it is ordered that Henry M. Wise, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. C. Floyd, it is ordered that Tom Williams, Esquire, of Siloam Springs, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Hugh A. Obear, it is ordered that John W. Price, Esquire, of Bristol, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

30. Ballie Mining Co., Plaintiff in Error, vs. The Commonwealth of Massachusetts. In Error to the Supreme Judicial Court of the State of Massachusetts.

script of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause be, and the same is hereby, affirmed with costs.

Dissenting:
Mr. Chief Justice White
Mr. Justice Van Devanter
Mr. Justice Pitney

Per Mr. Justice Day.

S. S. White Dental Manufacturing Co., Plaintiff in Error, v. Commonwealth of Massachusetts. In Error to the Supreme Judicial Court of the State of Massachusetts.

353

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

Dissenting:
Mr. Chief Justice White
Mr. Justice Van Devanter
Mr. Justice Pitney.

1139	The National City Bank of New York, Appellant, vs. Henry D. Holchkiss, as Trustee, etc., et al.	Appeals from the United States Circuit Court of Appeals for the Second Circuit.
1160	Henry D. Holchkiss, as Trustee, etc., et al., Appellants, vs. The National City Bank of New York.	

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed, each party to pay their own costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Holmes

446 The Mechanics & Metals National Bank of the City of New York, Appellant, vs. Irving L. Ernst et al., as Trustees, etc., Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Holmes.

516 M. V. Kirkpatrick, Appellant, vs. Wyatt A. Harnisberger, Trustee, etc., Appeal from the District Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Georgia, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here

that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

The Atchison, Topeka & Santa Fe Railway Co., et al. vs. The United States et al — Appellants, — Appeal from the United States Commerce Court.

539

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice White

John Roney et al., vs. N. J. Van Ness. — Plaintiffs in Error, — In Error to the Supreme Court of the State of California

688

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief [illegible]

520 Pacific Creosoting Co., Plaintiff in Error, vs. The United States. In Error to the United States Circuit Court of Appeals for the Ninth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit and on motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

115 John Zeller, Plaintiff in Error, vs. The State of New Jersey In Error to the Court of Errors and Appeals of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

William S. Lovell, as Trustee in Bankruptcy, etc.,
221 vs. Plaintiff in Error,
Henry Heatz & Co., et al.

In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

The United States,
710 vs. Plaintiff in Error,
Hardaway Young

On consideration of the motion to amend the writ of error in this cause,

It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the said writ of error amended as prayed in said motion

Per Mr. Chief Justice White

Samuel Gompers et al.,
Plaintiffs in Error and
640 vs. Appellants,
The United States.

On consideration of the motion to advance this cause,

It is now here ordered by the Court-

that the said motion be, and the same is hereby, granted, and this cause is advanced to the head of the docket for hearing on the 17th day of November, 1913.

Per Mr. Chief Justice White

by, granted, and the cause assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

710 The United States, Plaintiff in Error. vs. Hardaway Young. On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

727 The United States, Plaintiff in Error, vs. Willis N. Birdsall

728 The United States, Plaintiff in Error, vs. Thomas E. Brents

729 The United States, Plaintiff in Error, vs. Everett E. Van Werts. On consideration of the motion to advance these cases, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cases assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

760. Robert C. Bacon et al., Public Service Commission of Vermont, Appellants, vs. Rutland Railroad Co.

On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday in January next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice White.

632. Hartford Life Insurance Co., Hartford, Conn., Plaintiff in Error, vs. Eliza Ibs.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm, and for damages and interest in this cause be, and the same is hereby, postponed to the hearing of the cause on the merits.

Per Mr. Chief Justice White.

764 Ellen Connelly, Administratrix, etc., Petitioner, vs. Pennsylvania Railroad Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit and of the argument of counsel thereupon had, as well in sup-

dered by this Court that the said petition be, and the same is hereby, granted

It is further ordered that this cause be placed on the summary docket.

per Mr. Chief Justice White.

766. John A. S. Brown et al., etc., Petitioners, vs. Austin B. Fletcher, etc., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

per Mr. Chief Justice White.

732. Emil T. Palmenberg et al., Petitioners, vs. W. S. Butler & Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support

this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

733 Morris Blackstone et al., Petitioners. vs. Everybody's Store, Incorporated, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

736 Ruch Kramer, Petitioner. vs. E. W. Kramer On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Orders

It is ordered by the Court that the cases heretofore placed on the summary docket, viz., Nos. 272, 472, 344, 461, 589, 109, 469, 493 and 764 be, and they are hereby, assigned for argument on Monday, December 1 next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

Belva A. Lockwood, Petitioner. vs. Frank M. Rueker, Administrator, &c. 585.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Isaac R. Hitt and Mr. Richard P. Evans in support of the same.

The Carborundum Co., Petitioner. vs. The Electric Smelting & Aluminum Co. 770

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Philander C. Knox in support of the same, and Mr. Francis C. McMillin in opposition thereto.

The People of the State of New York, Complainants. vs. The State of New Jersey. 3. Original

Mr. Frederick S. Tyler, in behalf of the Commissioner appointed to take and return

cause, presented the report of the Commissioner, which, with the testimony and exhibits, is hereby ordered to be filed.

City Water Company of Chillicothe,
765. vs. Petitioner.
The City of Chillicothe

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Morgan M. Mann, Mr. James H. Hankins and Mr. Clifford Hilid in support of the same, and Mr. Joseph J. Russell in opposition thereto.

Patrick Collins,
35 vs. Plaintiff in Error,
The Commonwealth of Kentucky.
Thomas Malone,
36 vs. Plaintiff in Error,
The Commonwealth of Kentucky.

On motion of Mr. Charles N. Morris, of counsel for the defendant in error, It is ordered by the Court that these cases be, and the same are hereby, passed, on account of sickness of counsel.

Annie F. Craig, Administratrix, &c.,
769 vs. Petitioner
Emily E. Parish, Executrix, &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments

Hackett in support of the same, and Mr. Holmes Conrad and Mr. Leigh Robinson in opposition thereto.

Stuyvesant Bush Manufacturing Co.,
511. vs. Plaintiff in Error.
Arthur Beauchamp.

This cause was submitted to the consideration of the Court, pursuant to the twentieth rule, on the record and printed arguments by Mr. A. W. Buckley and Mr. C. E. Mong, of counsel for the plaintiff in error, and by Mr. George E. Gorman, of counsel for the defendant in error.

John R. Bucher,
611. vs. Appellant,
Annie Bucher et al.

This cause was submitted to the consideration of the Court, pursuant to the twentieth rule on the record and printed arguments by Mr. T. M. Dudley and Mr. W. E. Cullen, of counsel for the appellant, and Mr. Frank T. Post and Mr. B. B. Adams, of counsel for the appellees.

R. H. Downman,
113. vs. Plaintiff in Error.
The State of Texas.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Robert L. Batts, of counsel for the plaintiff in error, and Mr.

Monday, November 3d, 1913, continued.

28 The Pullman Co., Appellant, vs. W. V. Knott, Comptroller of the State of Florida.

158 The Pullman Co., Appellant, vs. W. V. Knott, Comptroller of the State of Florida, et al

The argument of these cases was continued by Mr. T. F. West, of counsel for the appellees, and concluded by Mr. Frank B. Kellogg, of counsel for the appellant.

33. The Aetna Life Insurance Co., Petitioner, vs. John T. Moore, Administrator, &c.

This cause was argued by Mr. A. L. Miller, of counsel for the petitioner, and by Mr. Jesse Harris and Mr. Minter Wimberly, of counsel for the respondent.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, November 4th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk.

Associate Justices

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that John C. Bell, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Hargest, it is ordered that Eugene B. Glassburger, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

The United States,
vs.
The Midwest Oil Co.

Mr. Solicitor General Davis, of counsel for The United States, submitted to the consideration of the Court a motion to advance this cause, and a motion to bring up the entire record and cause.

Henry C. Loeb, Trustee in Bankruptcy of the Block Mercantile Co.,
vs. Appellant,
Germania Savings Bank and Trust Co.

Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 6th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

Ben F. Harrison, Secretary of State of the State of Oklahoma,
vs. Appellant,
St. Louis & San Francisco Railroad Co.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles West, of coun-

and Mr. W. F. Evans and Mr. E. T. Miller, of counsel for the appellees.

38. Joseph Patrone. vs. The Commonwealth of Pennsylvania. Plaintiff in Error.

This cause was argued by Mr. Marcel A. Vile, of counsel for the plaintiff in error, and Mr. John C. Bell and Mr. William M. Hargest, of counsel for the defendant in error.

40. Frank A. Munsey, vs. Wesley Webb, Administrator, &c. Plaintiff in Error.

The argument of this cause was commenced by Mr. Charles A. Douglas, of counsel for the plaintiff in error, and continued by Mr. Archer Seler, of counsel for the defendant in error, and Mr. John W. Price, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Wednesday, November 5th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Cummins, it is ordered that Chester W. Whitmore, Esquire, of Ottumwa, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Elvira Fernandez Blanco, et al., Appellants, vs. Jose Antonio Fernandez y Perez et al. Appeal from the District Court of the United States for Porto Rico

No. 57

This cause having been called, [illegible]

its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

Per Mr. Chief Justice White.

40 Frank A. Munsey, Plaintiff in Error, vs. Wesley Webb, Administrator, etc.

The argument of this cause was concluded by Mr. John W. Yerger, of counsel for the plaintiff in error.

41 Daniel W. Baker, Plaintiff in Error, vs. Brainerd N. Warner

42 Daniel W. Baker, Plaintiff in Error, vs. Brainerd N. Warner

The argument of these cases was commenced by Mr. Frank J. Hogan, of counsel for the plaintiff in error; continued by Mr. W. C. Sullivan and Mr. J. J. Darlington, of counsel for the defendant in error, and concluded by Mr. Henry E. Davis, of counsel for the plaintiff in error.

The Missouri, Kansas & Texas Railway Co. of Texas,
114 vs. Plaintiff in Error,
Oliver Selot

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. J. M. Bryson, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

Laura Wheeler et al.,
Executors, etc.,
115 vs. Plaintiffs in Error,
William Sohmer, Comptroller of the State of New York.

The argument of this cause was commenced by Mr. Charles P. Howland, of counsel for the plaintiffs in error, and continued by Mr. William Law Sloan, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Thursday, November 6th 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Horace L. Cheyney, it is ordered that Henry B. Hammond, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

Lena Depuis,
vs. Appellant,
Samuel W. Backus, Commissioner of Immigration, &c.

Appeal from the District Court of the United States for the Northern District of California

No appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has

It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

Lena Depuis.
385. vs. Appellant,
Samuel W. Backus, Commissioner of Immigration, &c.

It is ordered by the Court that leave be, and the same is hereby, granted to issue the mandate in this cause.

Laura Wheeler et al., Executors, etc.,
115. vs. Plaintiffs in Error,
William Sohmer, Comptroller of the State of New York.

The argument of this cause was concluded by Mr. William Law Stout, of counsel for the defendant in error.

James N. Work,
116. vs. Appellant,
The United Globe Mines

This cause was argued by Mr. A. L. Piricoffe of counsel for the appellant, and by Mrs. Sarah N. Sonic, of counsel for the appellee.

The Prudential Insurance Co. of America,
117. vs. Petitioner.
John T. Moore, Administrator, &c.

This cause was argued by Mr. E. R. Black, of counsel for the petitioner, and Mr. Minter Wimberly, of counsel

Thursday, November 6th, 1913. continued

118.	William Rabb, vs. Plaintiff in Error, The State of Louisiana	This cause was submitted to the consideration of the Court on the record, with leave to counsel on both sides to file printed briefs within ten days.
50	The United States Fidelity & Guaranty Co., vs. Plaintiff in Error, The United States for the benefit of Frank P. Bartlett.	The argument of this cause was commenced by Mr. E. J. Myers, of counsel for the plaintiff in error,

Proclamation being made, the Court is adjourned

Friday, November 7th. 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. L. M. Stephen, it is ordered that Edward N. S. Martin, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Frear, it is ordered that Walter Drew, Esquire, of Madison, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry L. Myers, it is ordered that Daniel N. Kelly, Esquire, of Helena, State of Montana be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William F. Murray. It is ordered that Joseph M. Stevenson, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

30 The United States Fidelity & Guaranty Co., vs. Plaintiff in Error. The United States for the benefit of Frank P. Bartlett. The argument of this cause was continued by Mr. E. J. Myers, of counsel for the plaintiff in error. Mr. Edward W. Norris and Mr. Horace L. Cheyney, of counsel for the defendant in error, and concluded by Mr E. J Myers of counsel for the plaintiff in error.

31 A. Webster Richards, vs. Plaintiff in Error. Washington Terminal Co. This cause was argued by Mr. Hugh N. Clear, of counsel for the plaintiff in error, and by Mr. John W. Yerkes, of counsel for the defendant in error

Clifford G. Ludwigh,
Trustee, etc.,
vs. Appellant.
The American Woolen
Co. of New York et al.

The argument of this
cause was commenced
by Mr. Abram I. Elkus,
of counsel for the appel
lant.

Proclamation being made, the Court is adjourned
until Monday next at twelve o'clock

Monday, November 10th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Lee S. Overman, it is ordered that Thomas H. Calvert, Esquire, of Raleigh State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that George W. Tehan, Esquire, of Springfield State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Charles McClain, Esquire, of Schenectady, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Sterling, it is ordered that Nilda Jacger, of Tacoma, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert B. Hume, it is ordered that Howard McCormick, Esquire, of Annapolis, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. E. Jeffries, it is ordered that Robert C. Brickell, Esquire, of Huntsville, State of Alabama, and Cary C. Woody, Esquire, of Indianola, State of Mississippi, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

466 The United States. vs. Frederick W. Whittridge as Receiver, etc., et al. Petitioner. — On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

per Mr. Justice Pitney.

467 The United States, vs. Adrian H. Joline et al., as Receivers, etc. Petitioner. — On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Ap-

affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Pitney.

29. The Clement National Bank. vs. The State of Vermont. Plaintiff in Error; In Error to the Supreme Court of the State of Vermont. 439.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Vermont, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of Vermont.

Per Mr. Justice Hughes.

306. Emelia Alzua et al., vs. E. Finley Johnson Plaintiffs in Error. In Error to the Supreme Court of the Philippine Islands. 502.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and on motion to affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Missouri, Kansas & Texas Railway Co. of Texas, et al., Petitioners, vs. The United States.

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Texas.

Per Mr. Justice Holmes.

M. Summers, Petitioner. vs. United States.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit,

whereof, It is now here ordered and adjudg
by this Court that the judgment of the sai
United States Circuit Court of Appeals in
cause be, and the same is hereby, reversed;
that this cause be, and the same is hereby,
manded to the District Court of the Unite
States for the District of Alaska, Division
with directions to sustain the demurrer to
indictment.

Per Mr. Justice McKe

2. Original. Commonwealth of Virginia, Complainant. vs. The State of West Virginia

On consideratio
of the motion
the complainan
to proceed wit
the further hearing and determination of this
cause, and of the argument of counsel thereo
had, as well in support of as against the sa
It is now here ordered by the Court that thi
cause be, and the same is hereby, assigned fo
final hearing on Monday, April 13th, 1914
at the head of the call for that day.

Per Mr. Chief Justice White

114. Missouri, Kansas & Texas Railway Co. of Texas, Plaintiff in Error, vs. Olivier Lelot.

In Error to the Cou
of Civil Appeals f
the Fifth Supreme
dicial District of
State of Texas

This cause came on to be heard on the trans
of the record from the Court of Civil Appeals

the Fifth Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White.

750 The United States. vs. The Midwest Oil Co. On consideration of the motion that the whole record and this cause may be sent up to this Court for its consideration, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that the transcript of record presented with the motion be taken as a return to this order.

Per Mr. Chief Justice White

750 The United States vs. The Midwest Oil Co. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

762. American Bell Telephone Co., Petitioner. vs. Western Union Telegraph Co. et al. On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now ordered by this Court that the said petition for the same is hereby, denied.

Per Mr. Chief Justice

585. Belva A. Lockwood, Petitioner, vs. Frank M. Rucker, Administrator, etc. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel in support of the same, It is now ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice

768.	City Water Co. of Chillicothe, Petitioner vs. The City of Chillicothe	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

769.	Annie F. Craig, Administratrix, &c., Petitioner vs. Emily E. Parish, Executrix, &c.	On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

770 The Carborundum Co., Petitioner.
vs.
The Electric Smelting & Aluminum Co.

On petition f
of certiorari t
United States
Court of Appe
the Third Ci

On consideration of the petition for a
certiorari herein to the United States C
Court of Appeals for the Third Circui
of the argument of counsel thereupon h
well in support of as against the same
is now here ordered by this Court that
petition be, and the same is hereby, denie

Per Mr. Chief Justice

The Chief Justice announced that the C
will take a recess from Monday next, th
instant, to Monday, December 1, next.

251 George W. Radford, Plaintiff in Error,
vs.
Mary D. Myers, Executrix, etc.

Mr. Thomas
Weadock, of
for the plain
error, submitt
the consider

of the Court a motion to place this case
summary docket.

399 John T. Hendrick, Plaintiff in Error,
vs.
The State of Maryland.

Mr. Jaeteon
Ralston, of
sel for the p
tiff in error.

mitted to the consideration of the Court a

tion to advance this cause.

618	Street & Smuck, a Co partnership, etc.. vs. Appellants, The Atlas Manufacturing Co. et al.	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed argument by Mr. Hugh K. Wagner, in support of the same, and Mr. James Love Hopkins in opposition thereto.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court by Mr. James Love Hopkins in support of the same, and Mr. Hugh K. Wagner in opposition thereto.

75.	Mound City Co., vs. Appellant. Robert N. Castleman et al.	On motion of Mr. Hugh K. Wagner, in behalf of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term

779	The Illinois Central Railroad Co., vs. Petitioner, Union Railway Co.	The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr.

Newell Lee in support of the same.

730 Samuel B. Archer et al., Petitioners vs. Imperial Machine Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Samuel B. Archer pro se, and by Mr. Ernest Wilkinson in opposition thereto.

433 Frank Quinn et al., vs. The United States. On motion of Mr. Joseph W. Bailey, of counsel for Quinn et al., leave is hereby granted him to file a printed brief herein.

81 William S. Jeffs et al., Plaintiffs in Error, vs. Jesse Ryan et al. In Error to the Supreme Court of the Territory of Arizona.

This cause having been called to the attention of the Court by Mr. Evans Browne, of counsel for the plaintiffs in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme

Court of the State of Arizona.

per Mr. Chief Justice White

123 The Atchison, Topeka & Santa Fe Railway Co., Plaintiff in Error, vs. The Star Grain & Lumber Co. } In Error to the Supreme Court of the State of Kansas.

This cause having been called to the attention of the Court by Mr. Evans Browne, in behalf of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White

436 C. J. Easton, Receiver, &c., Plaintiff in Error, vs. The Chicago Hotel Co. et al. } The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Evans Browne, Mr. A. B. Browne, Mr. Alexander Britton and Mr. Charles M. Dow in support of the same, and Mr. Stephen A. Reeman in opposition thereto.

264 Booth Fisheries Co., Plaintiff in Error, vs. The People of the State of Illinois. In Error to the Supreme Court of the State of Illinois.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

265 Booth Fisheries Co., Plaintiff in Error, vs. The People of the State of Illinois. In Error to the Supreme Court of the State of Illinois.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed Therefore, in pursuance of said motion. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Clifford G. Sudduth,
as Trustee, etc.,
vs. Appellant,
The American Woolen
Co. of New York et al

The argument of this
cause was continued
by Mr. Abram S.
Elkins, of counsel for
the appellant, and
Mr. Daniel P. Kaye,
of counsel for the appellees, and concluded by
Mr. Abram S. Elkins, of counsel for the appellant.

Ex parte: In the matter
of the City of Louisville.
Petitioner.

Ex parte: In the matter
of A. Englehard & Sons Co.,
Petitioner

City of Louisville, Kentucky.
vs. Appellant.
Cumberland Telephone &
Telegraph Co.

The argument of
these cases was com
menced by Mr. Sam
uel Denny, of
counsel for the peti
tioner in No. 11, Ori
ginal, and the ap
pellant in No. 538,
continued by Mr.
Clayton D. Clarke,
of counsel for the
petitioner in No. 12, Original, Mr. Alexander P
Humphrey and Mr. W. L. Granbery, of counsel
for respondents and appellee, and concluded
by Mr. Clayton B. Blakey, of counsel for the
petitioner in No. 12, Original

Ex parte: In the matter
of America Cases,
Petitioner,

The argument of
this cause was
commenced by
Mr. Frederic D.

Monday, November 10th. 1913. continued

tinued by Mr. Charles Hartzell, of counsel for the respondent.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, November 11th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney,
Associate Justices

J. M. Wright, Esquire, Marshal
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles S. Thomas, it is ordered that Edwin Van Cise, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lorenzo A. Bailey, it is ordered that William F. Columbus, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Tuesday, November 11th. 1913, continued

On motion first made to the Court in this behalf by Mr. Edward M. Cleary, it is ordered that R. A. Willey, Esquire, of Monterey, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George W. Ramsey, it is ordered that Robert A. Brannigan, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that William N. Murray, Esquire, of Tishomingo, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Benjamin Ory, Esquire, of New Orleans State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	The Singer Sewing Machine Co.,	Mr. Robert C. Brickell, of counsel for
458	vs. Appellant,	the appellees, sub
	Robert C. Brickell,	mitted to the consid
	Attorney General, et al.	eration of the Court
		a motion to advance

this cause.

	The State of Alabama,	Mr. Robert C. Brick
595	vs. Plaintiff in Error,	ell, of counsel for
	Sudie Selmuds	the plaintiff in error,
		submitted to the con

sideration of the Court a motion to advance this cause.

	Ex parte: In the matter	The argument of
	of America Capps,	this cause was
8, Original	Petitioner.	continued by Mr.
		Charles Hartzell,

of counsel for the respondent, and concluded by Mr. Frederic D. McKenney, of counsel for the petitioner.

	New York Life Insur	The argument of
	ance Co.,	this cause was
56	vs. Plaintiff in Error,	commenced by Mr.
	Deer Lodge County.	James H. McInt
		osh, of counsel for

the plaintiff in error; continued by Mr. D. M. Kelley, of counsel for the defendant in error, and

the plaintiff in error.

57. Northern Pacific Railway Co., vs. Plaintiff in Error, Joseph A. Houston. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. C. W. Bunn, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

58 Charles E. Myers et al., vs. Plaintiffs in Error, John B. Anderson

59 Charles E. Myers et al. vs. Plaintiffs in Error, William H. Howard

60 Charles E. Myers et al., vs. Plaintiffs in Error, Robert Brown

The argument of these cases was commenced by Mr. William L. Marbury, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. William L. Marbury, it is ordered that Ridgely P. Melvin, Esquire, of Annapolis, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin Van Cise, it is ordered that Norman T. Mason, Esquire, of Deadwood, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

71	The Rio Grande Western Railway Co., vs. Thomas B. Stringham et al.	Plaintiff in Error,
72	The Rio Grande Western Railway Co., vs. Thomas B. Stringham et al.	Plaintiff in Error.

It is ordered by the Court that these cases be, and the same are hereby, continued until the next term. per stipulation of counsel.

80	The Western Union Telegraph Co., vs. M. E. Trapp, as Auditor of the State of Oklahoma, et al.	Appellant,

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed. Therefore, in pursuance of said stipulation, It is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr Chief Justice White

78	Carondelet Canal & Navigation Co., vs. The State of Louisiana	Plaintiff in Error.

It is ordered by the Court that this cause be, and the same is hereby, passed, per stipulation of counsel.

58 Charles E. Myers et al., Plaintiffs in Error, vs. John B. Anderson

59 Charles E. Myers et al., Plaintiffs in Error, vs. William H. Howard

60 Charles E. Myers et al., Plaintiffs in Error, vs. Robert Brown.

The argument of these cases was commenced by Mr. William L. Marbury, of counsel for the plaintiffs in error, and Mr. Edgar H. Gans, of counsel for the defendants in error, and concluded by Mr. Ridgely P. Melvin, of counsel for the plaintiffs in error

61 Phoenix Railway Co., Plaintiff in Error, vs. Lee N. Landis, Administrator, etc.

This cause was argued by Mr. Charles Cowles Tucker, of counsel for the plaintiff in error, and Mr. J. M. Jamison, of counsel for the defendant in error.

62 Yazoo & Mississippi Valley Railroad Co., et al., Plaintiffs in Error, vs. Mrs. Annie E. Brewer

The argument of this cause was commenced by Mr. Benjamin Cox, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned

Thursday, November 13th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Edward C. Goodwin, it is ordered that William Carroll Latimer, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States of America ex rel. Grand Rapids Timber Co.. Plaintiff in Error, vs. Walter L. Fisher, Secretary of the Interior

In Error to the Court of Appeals of the District of Columbia.

1413

It appearing to the Court that a motion of

counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs

Per Mr. Chief Justice White.

Chapman & Dewey Lumber Co., et al.
vs. Plaintiffs in Error,
The Board of Directors of the St. Francis Levee District

82. It is ordered by the Court that this cause be, and the same is hereby, passed, per stipulation of counsel

Yazoo & Mississippi Valley Railroad Co., et al.
vs. Plaintiffs in Error,
Mrs. Annie E. Brewer

62. The argument of this cause was continued by Mr. Monte M. Lemann, of counsel for the defendant in error, and concluded by Mr. Benjamin Cox, of counsel for the plaintiffs in error.

Thomas M. Keney, Administrator, etc.,
vs. Plaintiff in Error.
La Grange Mills

63. This cause was argued by Mr. Louis Marshall, of counsel for the defendant in error, and submitted on printed arguments by Mr. D. W. Rountree, and Mr. Clifford L. Anderson, of counsel for the

65. Gila Valley Globe & Northern Railway Co., et al., vs. Plaintiffs in Error, John Hall.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Eugene S. Ives, of counsel for the plaintiffs in error, and Mr. Edward A. Thomas, of counsel for the defendant in error.

69. Ada E. H. Van Sycke et al., vs. Appellants, Juan Jose Arsuaga et al., partners, etc., et al.

This cause was argued by Mr. N. B. K. Pettingill, of counsel for the appellants, and Mr. Charles F. Carusi, of counsel for the appellees.

76. Frank F. Graham et al., vs. Plaintiffs in Error, The United States of America

The argument of this cause was commenced by Mr. Charles F. Harley, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, November 14th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Miles Poindexter, it is ordered that George N. Crandell, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Kern, it is ordered that A. L. Harbison, Esquire, of Vincennes, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	The United States of America,	Mr. E. Hilton Jackson, of counsel for the
355	vs. Plaintiff in Error,	plaintiff in error, submitted to the consideration of the Court
	Paul Beatty et al.	

a motion to advance this cause.

	Creamery Package Manufacturing Co.,	In Error to the Supreme Court
88.	vs. Plaintiff in Error.	of the State of
	The State of Minnesota	Minnesota

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the bench rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

	The Territory of Arizona at the relation of J. M. Haines, Tax Collector.	On motion of Mr. William C. Prentiss, of counsel for the
89.	vs. Appellant,	appellant, It is ordered by the Court
	The Copper Queen Consolidated Mining Co.	that this cause be, and the same is

hereby, passed temporarily.

90 Fred J. Bliss, vs. Louisiana & Pacific Copper Co., et al. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged and decreed by this Court that the writ of certiorari in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

91 A. Emerson Crose, Administrator, &c., et al., Plaintiffs in Error, vs. Gray's Harbor Boom Co. In Error to the Supreme Court of the State of Washington.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

92. Frank B. Craig, Plaintiff in Error. vs. William P. Jarrett, Sheriff, etc. — On motion of Mr. Evans Browne, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, passed temporarily.

76. Frank F. Graham et al., Plaintiffs in Error. vs. The United States of America — The argument of this cause was continued by Mr. Charles F. Harley, of counsel for the plaintiffs in error, and Mr. Solicitor General Davis, of counsel for the defendant in error, and concluded by Mr. George R. Gaither of counsel for the plaintiffs in error.

77 Joseph Swift, Plaintiff in Error, vs. Donald A. McPherson — This cause was argued by Mr. Edwin Van Cise, of counsel for the plaintiff in error, and Mr. Norman J. Mason, of counsel for the defendant in error.

79 The United States of America ex rel. A. Goldberg, Plaintiff in Error, vs. Josephus Daniels, Secretary of the Navy. — The argument of this cause was commenced by Mr. Albert N. Eastman, of counsel for the plaintiff in error; continued by Mr.

Morgan H. Beach, of counsel for the defendant in error, and concluded by Mr. Charles Poe, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Monday, November 17th. 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.

J. M. Wright, Esquire, Marshal
James D. Maher, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frank Cox, it is ordered that W. E. Baker, Esquire, of Elkins, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Henry B. Gayley, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Frederick D. Tyler, it is ordered that

Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

191 A. Straus, Appellant, vs. W. L. Foxworth — Appeal from the Supreme Court of the Territory of New Mexico

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of New Mexico.

per Mr. Justice Van Devanter.

110 Frank A. Munsey, Plaintiff in Error, vs. Wesley Webb, Administrator of the Estate of Samuel J. Pennington — In Error to the Court of Appeals of the District of Columbia

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered

the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

641 John R. Buchser, vs. Annie Buchser and W. W. Zent, as Guardians ad litem for Hans R. Buchser, Roland N. Buchser, and Hillman A. Buchser, minors. Appellant, Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Washington.

Per Mr. Justice Holmes.

251. George W. Radford, vs. Mary D. Myers, Executrix, &c. Plaintiff in Error. On consideration of the motion to place this cause on the summary docket,

It is now here ordered by the Court that the said

motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, December 1st next.

Per Mr. Chief Justice White.

455. The Singer Sewing Machine Co., vs. Appellant, Robert C. Brickell, Attorney General, etc., et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday in January next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice White.

595 The State of Alabama, vs. Plaintiff in Error, Sudie Schmidt. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday in January next, after the case heretofore assigned for that day.

Per Mr. Chief Justice White.

553 The United States of America, vs. Plaintiff in Error, Paul Beatty et al. On consideration of the motion to advance this cause. It is now here or-

and the same is hereby, granted, and the cause assigned for argument on the first Monday in January next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice White.

394. John T. Hendrick. Plaintiff in Error, vs. The State of Maryland. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

436. C. F. Easton, Receiver of the Building & Loan Association of Dakota. Plaintiff in Error, vs. The Chicago Hotel Co. and The Taylor Realty Co. In Error to the District Court of the United States for the Western District of Washington

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Washington, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

720 Samuel B. Archer et al., Petitioners vs. Imperial Machine Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

779 Illinois Central Rail-road Co., Petitioner vs. Union Railway Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Street & Smith, a copartnership, etc.,
618 vs. Appellant,
The Atlas Manufacturing Co., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Ex parte: In the matter of America Caps.
8, Original Petitioner

On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged, and that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

New Louisville Jockey Club and Charles F. Grainger, Trustee, vs. Plaintiffs in Error. City of Oakdale, J. J. Bosemer, Mayor, et al. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White.

Limox Land Co., vs. Plaintiff in Error. City of Oakdale, J. J. Bosemer, Mayor, et al. In Error to the Court of Appeals of the State of Kentucky

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

707 Sam B. Perrin, Plaintiff in Error. vs. The United States. Mr. Assistant to the Attorney General Todd, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

689. William P. Healy and The Healy Box Corporation, Appellants, vs. The Sea Gull Specialty Co. The motion to advance this cause under the thirty-second rule was submitted to the consideration of the Court on printed arguments by Mr. Henry B. Hayley in support of the same, and Mr. Randolph Barton, Jr., in opposition thereto.

764. Ellen Connelley, Administratrix of the Estate of Thomas Connelley, Petitioner. vs. Pennsylvania Railroad Co. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

This cause having been called to the attention of the Court by Mr. Frederic D. McKenney, of counsel for the respondent, and he having filed a confession of error in the judgment of the said Circuit Court of Appeals in this cause and consent that said judgment should be reversed,

Therefore, in pursuance of said confession and consent, It is now hereby ordered and adjudged by this Court that the judgment of the said Circuit Court of Appeals in this cause be, and the same is hereby, reversed, with costs.

by this Court that the judgment of the said Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Pennsylvania, with a direction to grant a new trial.

Per Mr. Chief Justice White

Ex parte: In the matter of Banco Territorial y Agricola de Puerto Rico and The Banco Commercial de Puerto Rico, Trustees, &c., Original Petitioners

Mr. Frederic D. McKenney, of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of certiorari herein.

361 Louis Elie Joseph Henry de Galard de Brassac de Bearn, &c., vs. Plaintiff in Error. Jean Baptiste Chaumet

358 Louis Elie Joseph Henry de Galard de Brassac de Bearn, &c., vs. Plaintiff in Error. Pierre de Bearn

359 Louis Elie Joseph Henry de Galard de Brassac de Bearn, &c., vs. Plaintiff in Error. Francois de Bearn

The motion to dismiss or affirm and for damages in these cases was submitted to the consideration of the Court on the record in case No. 361 and printed arguments by Mr. J. Kemp Bartlett and Mr. Edgar

360	Louis Elie Joseph Henry de Gulard de Brassac de Beurn, &c. vs. Odon de Beurn	Plaintiff in Error.	port of the same, and Mr. Maurice Léon in opposition thereto.

88.	The Creamery Package Manufacturing Co., vs. The State of Minnesota.	Plaintiff in Error,	On motion of Mr. Frederick D. Tyler, in behalf of counsel, leave is granted the Clerk to issue the mandate in this cause.

687.	William P. Healy and the Healy Box Corporation. vs. Sea Gull Specialty Co.	Appellants,	The suggestion of diminution of the record and motion for a writ of certiorari in this cause was submitted to the consideration of the Court on printed arguments by Mr. Randolph Barton, Jr., in support of the same, and Mr. Henry B. Gayley in opposition thereto.

332	Jacob Glos et al., vs. William L. Connell, County Treasurer, &c., et al.	Plaintiff in Error.	The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George Willett in support of the same, and by Jacob Glos et al., pro se in opposition thereto.

December 1, at twelve o'clock.

Monday, December 1st, 1913.

Pursuant to adjournment, the Court met to-day, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes Associate
Willis Van Devanter Justices.
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Percy V. Long it is ordered that Charles A. Shurtleff Esquire, of San Francisco, and Joseph M. Raine, Esquire, of Fairfield, State of California be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julius Henry Cohen, it is ordered that Theodore B. Richter, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward E. Longan, it is ordered that J. Fred Gilster, Esquire, of Chester, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that William Clarke Mason, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick D. Tyler, it is ordered that Sidney T. Miller, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. N. Gilfry, it is ordered that Guy Marchand, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Stone, it is ordered that Ernest D. Martin, Esquire, of Maryland

State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Lamb, it is ordered that R. S. Wimberly, Esquire, of Macon, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Hiram Barney and Benjamin F. Tasker, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

The People of the State of New York on the relation of the Amoskeag Savings Bank of Manchester, New Hampshire,

vs. Plaintiff in Error,

Lawson Purdy et al., as Commissioners of Taxes and Assessments of the City of New York.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the tran-

of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr Justice Pitney.

The United States Fidelity & Guaranty Co., of Baltimore, Maryland. Plaintiff in Error,
vs.
The Commonwealth of Kentucky.

In Error to the Court of Appeals of the State of Kentucky.

26.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Pitney.

Stratton's Independence, Limited.
vs.
F. W. Nowbut, Collector of Internal Revenue for the District of Colorado.

On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

1157

This cause came on to be heard

from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first and second questions certified must be answered in the affirmative, and the third in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Pitney.

Dissenting as to the answer to the third question:
Mr. Chief Justice White
Mr. Justice McKenna
Mr. Justice Holmes.

The Kansas City Southern Railway Co., Appellant, vs. The United States and The Interstate Commerce Commission. 571. Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Pitney.

113 R. A. Downman, Plaintiff in Error, vs. The State of Texas — In Error to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of Texas.

Per Mr. Justice Lurton

235 The United States, Petitioner, vs. Twenty five Packages of Panama Hats, Marcinus Castells, Claimant. — On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby reversed; and that this cause be, and

the same is hereby remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Lamar

The Delaware, Lackawanna & Western Railroad Co., Plaintiff in Error, vs. The United States of America. In Error to the District Court of the United States for the Western District of New York

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Lamar

Joanna Little, Plaintiff in Error, vs. J. J. Williams, Mary E. Baker, and W. T. Bugg, as Heirs-at-Law of the Estate of the late E. G. Bugg, deceased et al. In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the tran

of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Van Devanter

141

Otto Monson,
Plaintiff in Error.
vs.
E. J. Simonson

In Error to the Supreme Court of the State of South Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Dakota and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court, but without prejudice to the power of that Court to proceed to a determination of the questions which were left open by its opinion.

Per Mr. Justice Van Devanter

Street & Smith, a copartnership composed of Ormond G. Smith, George C. Smith and Cora E. Gould,

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

618 vs. Appellants,

The Atlas Manufacturing Co. and Orlyn T. Crawford.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Van Devanter.

Sturges & Burn Manufacturing Co.,

In Error to the Supreme Court of the State of Illinois.

54 vs. Plaintiff in Error.

Arthur Beauchamp.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court,

in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes.

The Eastern Extension, Australasia and China Telegraph Co., Limited. Appellant, vs. The United States. Appeal from the Court of Claims.

419

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims, with directions to take further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Hughes.

Louisville & Nashville Railroad Co., Appellant, vs. Green Garrett, Laurence B. Finn, and William F. Klair, individually, and as constituting the Railroad Commission of Kentucky. Appeal from the Circuit Court of the United States for the Eastern District of Kentucky.

This cause came on to be heard on the tran-

script of the record from the Circuit Court of the United States for the Eastern District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Kentucky.

per Mr Justice Hughes

Isidor Straus and Nathan Straus, composing the firm of R. H. Macy & Co., Plaintiffs in Error, vs. American Publishers Association et al.

In Error to the Supreme Court of the State of New York.

19

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the

516

Mayor and Aldermen of the City of Vicksburg, Appellants,
vs.
W. A. Henson, Receiver of the Vicksburg Water Works Co., et al.

Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Mississippi for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Day.

401

Thomas R. Marshall, as Governor of the State of Indiana, et al., Plaintiffs in Error,
vs.
John T. Dye.

On consideration of the suggestion of the death of John T. Dye, the defendant in error herein, and of the motion to substitute Hugh Dougherty, Executor of the said John T. Dye, deceased, as the party defendant in error in this cause

It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the said Hugh Dougherty as Executor of John T. Dye, deceased, be, and he is hereby, made the party defendant in error in this cause.

Per Mr. Justice Day.

Thomas R. Marshall, as Governor of the State of Indiana, et al. Plaintiffs in Error,
vs.
Hugh Dougherty, as Executor of John T. Dye, deceased.

No. 101

On consideration of the suggestion of the election of Samuel M. Ralston as Governor of the State of Indiana, and the appointment of Will H. Thompson and John E. Hollett as members of the State Board of Election Commissioners of the State of Indiana, and of the motion to substitute them as parties plaintiffs in error in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that the said Samuel M. Ralston, Governor, and Will H. Thompson and John E. Hollett, constituting the State Board of Election Commissioners of the State of Indiana, be, and they are hereby, made parties plaintiffs in error in this cause.

Per Mr. Justice Day.

Samuel M. Ralston, Governor of the State of Indiana, et al., Plaintiffs in Error, vs. Hugh Dougherty, Executor of John T. Dye, deceased

In Error to the Supreme Court of the State of Indiana.

No. 1104

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Day.

The United States Fidelity & Guaranty Co., Plaintiff in Error, vs. The United States for the benefit of Frank P. Bartlett

In Error to the United States Circuit Court of Appeals for the Second Circuit.

No. 50

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be

and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

per Mr. Justice Day.

62. Yazoo & Mississippi Valley Railroad Co., Etienne Gele et al., vs. Mrs. Annie O'Brien. Plaintiffs in Error. In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Day

63 Thomas M. Kener, Administrator of Edwin Kener, deceased, vs. La Grange Mills. Plaintiff in Error. In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel. On consideration whereof, It is now

that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes.

77 The United States of America ex relatione A. Goldberg, Plaintiff in Error, vs. Josephus Daniels, Secretary of the Navy. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes.

570 Union Pacific Railroad Co., Plaintiff in Error, vs. Laramie Stock Yards Co. In Error to the District Court of the United States for the District of Wyoming.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wyoming, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said

District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court with directions to sustain the demurrer to the answer.

Per Mr. Justice McKenna

Dissenting:
Mr. Justice Hughes
(Mr. Justice Holmes, Mr. Justice Burton and Mr. Justice Pitney took no part in the decision of this case.)

682 Union Pacific Railroad Co., Plaintiff in Error, vs. George A. Snow and Robert W. Burton (said Burton doing business as an individual under the name and style of the Byers Mercantile Co.) In Error to the Supreme Court of the State of Colorado

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the

683 Union Pacific Railroad Co., Plaintiff in Error, vs. Martin N. Sides and Walter W. Scherrer. In Error to the Supreme Court of the State of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice McKenna

Dissenting:
Mr. Justice Hughes
(Mr. Justice Holmes and Mr. Justice Pitney took no part in the decision of this case.)

The United States, Interstate Commerce Commission and Federal Sugar Refining Co., vs. Appellants, The Baltimore & Ohio Railroad Co., et al. Appeal from the United States Commerce Court.

This cause came on to be heard on the tran-

script of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Lurton.
(announced by Mr. Chief Justice White.)

395. The United States, Plaintiff in Error, v. John A. Davis and William B. Davis. In Error to the District Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with law.

per Mr. Chief Justice White.

Marcelina Torres Zayas, Appellant and Plaintiff in Error, vs. Lothrop, Luce & Co., et al. — Appeal from and In Error to the Supreme Court of Porto Rico.

17

This cause came on to be heard on the transcript of the record from the Supreme Court of Porto Rico, on appeal and writ of error, and was argued by counsel. On consideration whereof, It is now here ordered by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs. It is further ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White

Northern Pacific Railway Co., Plaintiff in Error, vs. Joseph A. Houston — In Error to the Supreme Court of the State of Minnesota.

57

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court in

the case of Northern Pacific Railway Company v. Ware, 219 U. S. 426, and the action now taken in applying the decision in that case.

per Mr. Chief Justice White

The Mayor and Aldermen of the City of Vicksburg, Appellants, vs. Vicksburg Water Works Co

Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Mississippi.

per Mr. Chief Justice White

Jacob Glos, Emma J. Glos, August A. Timke, personally and as Trustee, Adam D. Glos and D. Arnold. Plaintiffs in Error. vs. William L. O'Connell, County Treasurer of Cook County, Theodore D. Swanford et al

In Error to the Supreme Court of the State of Illinois.

332

script of the record from the Supreme Court of the State of Illinois, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

118. William Kabb, Plaintiff in Error, vs. The State of Louisiana. In Error to the Criminal District Court of the Parish of Orleans, State of Louisiana.

This cause came on to be heard on the transcript of the record from the Criminal District Court of the Parish of Orleans, State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Criminal District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White.

Ex parte: In the matter of The Banco Territorial y Agricola de Puerto Rico and The Banco Comercial de Puerto Rico, Trustees, Petitioners. Original. On consideration of the motion for leave to file a petition for a common-law writ of certiorari herein, It is now

here ordered by the Court that the said motion

be, and the same is hereby, denied.

per Mr. Chief Justice White.

William P. Healy and The Healy Box Corporation. Appellants,
689 vs.
Sea Gull Specialty Co.

On consideration of the motion to advance this cause under the thirty-second rule, It is now here ordered by the Court that the said motion be, and the same is hereby, denied, but without prejudice to the submission of the case on printed arguments, if the parties so agree.

per Mr Chief Justice White.

William P. Healy and The Healy Box Corporation, Appellants,
689 vs.
Sea Gull Specialty Co.

On consideration of the suggestion of a diminution of the record and a motion for a writ of certiorari in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr Chief Justice White.

Sam B Perrin Plaintiff in Error,
707 vs.
The United States.

On consideration of the motion to advance this cause,

ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

722. The United States. Plaintiff in Error, vs. John N. Carter. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Francis B. Carter and Mr. W. A. Blount in support of the same, and Mr. Solicitor General Davis in opposition thereto.

Clarence B. Wood et al., Plaintiffs in Error, vs. The United States. In Error to the United States Circuit Court of Appeals for the Fourth Circuit.

Mr. Solicitor General Davis, of counsel for the defendant in error, submitted to the consideration of the Court a motion to docket and dismiss this cause pursuant to the ninth rule.

561 Louis Elie Joseph Henry de Galard de Brassac de Beam &c., Plaintiff in Error, vs. Jean Baptiste Chaumet. Louis Elie Joseph Henry de Galard de Brassac de Beam &c. On motion of Mr. Maurice Leon, of counsel for the plaintiff in error, leave is hereby granted

558	vs. (Plaintiff in Error. Pierre de Bearn Louis Elie Joseph Henry de Galard de Brassac de Bearn, &c.	to file additional papers in opposition to the motion to dismiss, heretofore submitted in this cause.
559	vs. (Plaintiff in Error. Francois de Bearn Louis Elie Joseph Henry de Galard de Brassac de Bearn, &c.,	
560	vs. (Plaintiff in Error. Odon de Bearn.	
561	Martha Young, Administratrix, &c., vs. (Plaintiff in Error, Central Railroad Co. of New Jersey.	Mr. V. B. Edwards, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.
99	James A. Kinder, Trustee, vs. (Plaintiff in Error, Edward Schauff et al.	Mr Hunnie Taylor, of counsel for the plaintiff in error, suggested the death of James A. Kinder, and moved the Court to make Edgar N. Collins, his successor as Trustee, the party plaintiff in error in this cause. Whereupon, It is now here ordered by the Court that the said Edgar N. Collins, Trustee, be, and he is hereby, made the party plaintiff in error in this cause.

793 The Allen & Wheeler Co., Appellant, vs. Hanover Star Milling Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. J. Fred Gilster, Mr. Lindorf O. Whitnel, and Mr. Edward Everett Longen in support of the same.

739 The Roman Catholic Church of St. Anthony of Padua, Jersey City, N. J., Appellant, vs. The Pennsylvania Railroad Company.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Frederic D. McKenney and Mr. James B. Vredenburgh in support of the same, and Mr. Marshall Van Winkle in opposition thereto.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Marshall Van Winkle in support of the same, and Mr. Frederic D. McKenney and Mr. James B. Vredenburgh in opposition thereto.

Mr. Marshall Van Winkle, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause

Robert C. Bacon et al.,
Public Service Commissioner of Vermont,
760 vs. Appellant,
Rutland Railroad Co.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. W. Lawrence in support of the same, and Mr. Frederic D. McKenney and Mr. Herbert G. Barber in opposition thereto.

Stephen Canavan,
761 vs. Appellant,
Jesse Somers, Sheriff &c.

Mr. W. D. Jaynes, in behalf of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

The Atchison, Topeka & Santa Fe Railway Co.
1450. vs. Plaintiff in Error.
C. E. Robinson
The Atchison, Topeka & Santa Fe Railway Co.
1451 vs. Plaintiff in Error.
N. F. Moore et al.

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Hal N. Smith in support of the same, and Mr. S. F. Nelson in opposition thereto.

781 John Barton Miller. Petitioner.
vs.
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John E. Laskey and Mr. Henry E. Davis in support of the same, and Mr. Solicitor General Davis and Mr. Clarence R. Wilson in opposition thereto.

783 Sara Eye, widow, etc., Petitioner.
vs.
The Hamburg Americanische Paketfahrt Aktien Gesellschaft.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. N. Garland Dupre, Miss I. M. Moyers and Mr. Charles F. Consaul in support of the same.

750 Elizabeth S. Rutland, Petitioner.
vs.
St. Louis & San Francisco Railroad Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Carruthers Ewing in support of the same.

1109	Joseph F. Guffey et al., Petitioners. vs. James A. Smith et al.	Mr. Joseph W. Bailey, of counsel for the Petitioners, submitted to the consideration of the Court a motion to advance these cases
1110	Joseph F. Guffey et al., Petitioners. vs. Swannah Smith et al.	
7	Annie Lapina. Petitioner. vs. William Williams, Commissioner of Immigration	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William Hawkins, of counsel for the Petitioner, and Mr. Assistant Attorney General Denison, of counsel for the respondent.
1193	Yoshiro Nakayama, Appellant, vs. W. R. Mansfield, Immigration Inspector, Department of Commerce and Labor.	Appeal from the District Court of the United States for the District of Colorado.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the tenth rule of this Court, now here

that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Atlantic Coast Line Railroad Co., Plaintiff in Error. vs. James A. Miller

538

The motion to affirm and for damages in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. D. Jennings in support of the same, and Mr. Frederic D. McKenney and Mr. P. A. Willcox in opposition thereto.

Belle J. Barnes et al., Appellants, vs. J. L. B. Alexander et al.

109

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Eugene S. Ives, of counsel for the appellants, and by Mr. J. L. B. Alexander, Mr. W. M. Seabury, Mr. Aldis B. Browne, Mr. Alexander Britton and Mr. Evans Browne, of counsel for the appellees

---

Mr. Sidney T. Miller presented the resolutions of the Association of the Bar of the City of Detroit upon the death of the late Mr. Justice Brown, and it was ordered that they be placed upon the files of the Court.

190

The Atchison, Topeka & Santa Fe Railway Co. et al., Appellants, vs. The United States et al.

The argument of this cause was commenced by Mr. Gardiner Lathrop, of counsel for the appellants, and continued by Mr. Blackburn Esterline, of counsel for The United States, and Mr. William E. Lamb, of counsel for the Arlington Heights Fruit Exchange.

Proclamation being made, the Court is ad-

Tuesday, December 2d, 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes Associate
Willis Van Devanter Justices.
Joseph R. Lamar
Mahlon Pitney.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. H. Garland Dupre, it is ordered that Archer McGuirk and William A. Porteous, Esquires, of New Orleans, State of Louisiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Hoehling, Jr., it is ordered that Archer Black, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest Knaebel, it is ordered that S. E. Naugle, Esquire, of Sterling, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph N. Bailey, it is ordered that W. E. Elder, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joe T. Robinson, it is ordered that J. T. Colton, Esquire, of Osceola, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

97 The Interstate Commerce Commission et al., Appellants, vs. Southern Pacific Co. et al.

98 The Interstate Commerce Commission et al., Appellants, vs. The Atchison, Topeka & Santa Fe Railway Co., et al.

On motion of Mr. Solicitor General Davis, of counsel for The United States, It is ordered by the Court that these cases be, and the same are hereby, passed.

visions of section 9 of rule 26.

279 Edmund Burke,
vs.
The Southern Pacific Railroad Co., et al.
J. S. Lamprecht and T. M. Aiken as Trustees,
280 vs.
Southern Pacific Railroad Co., et al.

On motion of Mr. Solicitor General Davis, of counsel for The United States, leave is hereby granted to file a supplemental memorandum in behalf of The United States. On motion of Mr. A. A. Hochling, Jr., of counsel for the Southern Pacific Railroad Company et al., leave is hereby granted to file a reply thereto on their behalf, and on motion of Mr. T. J. Butler, of counsel for the intervenors, leave is hereby granted to file a reply on their behalf.

390 The Atchison, Topeka & Santa Fe Railway Co. et al., Appellants,
vs.
The United States et al.

The argument of this cause was continued by Mr. William E. Lamb, of counsel for the Arlington Heights Fruit Exchange and by Mr. P. J. Farrell, of counsel for The Interstate Commerce Commission, and concluded by Mr. F. A. Wood, of counsel for the appellants.

Paris & Great Northern Railroad Co.,
372 vs. Plaintiff in Error.
Mrs. Georgie Boston et al

This cause was argued by Mr. Edgar Wright of counsel for the plaintiff in error, and, submitted on a printed argument by Mr. Fred B. Rhodes, of counsel for the defendants in error.

The Wyandotte County Gas Co.,
472 vs. Plaintiff in Error.
The State of Kansas ex rel. John Marshall, Attorney, etc

This cause was argued by Mr. J. W. Dana, of counsel for the plaintiff in error, and by Mr Richard J. Higgins, of counsel for the defendant in error.

Arthur Krey, as Trustee, &c.,
544 vs. Appellant,
John E. Dockendorff

This cause was argued by Mr. Benjamin G. Paskus, of counsel for the appellant, and by Mr. Julius Henry Cohen, of counsel for the appellee.

Fremont Wecke,
461 vs Plaintiff in Error.
The United States.

The argument of this cause was commenced by Mr. Martin J. O'Donnell, of counsel for the plaintiff in error.

Rule 12 amended

Wednesday, December 3d. 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes -- Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that Xenophon O. Pindall, Esquire, of Little Rock, and Ollie N. Kellough, Esquire, of Wynne, State of Arkansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William N. Murray, it is ordered that J. A. Tilloteon, Esquire, of Nowata, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

95. Mary B. Herbert, Plaintiff in Error. vs. S. R. Nagy et al. In Error to the Supreme Court of the State of Ohio

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White.

96. John N. Jones. Plaintiff in Error. vs. David Mould, Judge of the District Court of Iowa, in and for the Fourth Judicial District, and N. N. Sawyer. In Error to the Supreme Court of the State of Iowa

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White.

	Fremont Weeks,	The argument of
161.	vs. Plaintiff in Error,	this case was con-
	The United States	cluded by Mr.
		Martin J. O'Donnell

of counsel for the plaintiff in error, and the cause was submitted on a printed argument by Mr. Solicitor General Davis and Mr. Assistant Attorney General Denison, of counsel for the defendant in error.

	The United States.	This cause was
389	vs. Plaintiff in Error,	argued by Mr.
	Eugene Buchanan	Assistant Attorney
		General Knaebel,

of counsel for the plaintiff in error, and Mr. L. E. Naugle, of counsel for the defendant in error.

	Mary Genevieve Pennell,	This cause was
	Administratrix, etc.,	argued by Mr.
469	vs. Plaintiff in Error,	George Demming,
	Philadelphia & Reading	of counsel for the
	Railway Co.	Plaintiff in error,
		and Mr. William

Clarke Mason, of counsel for the defendant in error.

	George W. Radford,	This cause was
351	vs Plaintiff in Error.	submitted to the
	Mary D. Myers, Executrix, &c	consideration of

record and a printed argument by Mr. Thomas A. E. Weadock, of counsel for the plaintiff in in error. No counsel appeared for the defendant in error.

William M. Barrett, as President of the Adams Express Co., etc.,
83 vs. Appellant,
The City of New York et al.
The City of New York et al.,
84 vs. Appellants,
William M. Barrett, as President of the Adams Express Co., etc.
Edward T. Platt, as Treasurer of the United States Express Co., etc.,
85 vs Appellant,
The City of New York et al.
The City of New York et al.,
86 vs Appellants,
Edward T. Platt, as Treasurer of the United States Express Co., etc.

The argument of these cases was commenced by Mr. William D. Guthrie, of counsel for Barrett, president, etc., and continued by Mr. Terence Farley, of counsel for The City of New York et al.

Proclamation being made, the Court is adjourned

Thursday, December 4th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes — Associate
Willis Van Devanter — Justices
Joseph R. Lamar
Mahlon Pitney.
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John G. Johnson, it is ordered that William C. Price, Esquire, of Wilkes-Barre, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Hargest, it is ordered that Benjamin R. Jones, Esquire, of Wilkes-Barre, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Samuel H. West, it is ordered that Charles F. Krone, Esquire, of St. Louis State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr George C. Scott, it is ordered that Frederick N. Wier and John Jacob Rogers, Esquires, of Lowell, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Lamb, it is ordered that Frank A. Larish, Esquire, of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

101 Selover, Bates & Co., Plaintiff in Error, vs. Ole A. Finnes. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard from the Supreme Court of the State of Minnesota, and it appearing to the Court that a stipulation of counsel for the respective parties to affirm the judgment of the said Supreme Court has been filed,

It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White

The Plymouth Coal Co.,
102 vs. Plaintiff in Error.
The Commonwealth of Pennsylvania et al.

On motion of Mr. William M Hargest, of counsel for the defendants in error, It is ordered by the Court that this cause be, and the same is hereby, passed temporarily

William M. Barrett, as President of the Adams Express Co., etc.,
83 vs Appellant
The City of New York et al.
The City of New York et al.,
84 vs. Appellants.
William M. Barrett, as President of the Adams Express Co., etc.
Edward T. Platt, as Treasurer of the United States Express Co., etc.,
85 vs. Appellant,
The City of New York et al.
The City of New York et al.,
86 vs Appellants.
Edward T. Platt, as Treasurer of the United States Express Co. etc.,

The argument of these cases was continued by Mr. Terence Farley, of counsel for the City of New York et al., and concluded by Mr. Walker D. Hines, of counsel for Platt, Treasurer, etc.

97 The Bank of Arizona et al., vs. The Thomas Laverty Co. Plaintiffs in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Wallis Bennett, of counsel for the plaintiffs in error, and Mr A. B. Browne, Mr. Alexander Britton, Mr. Evans Browne, Mr. J. L. B. Alexander and Mr. George D. Christy, of counsel for the defendant in error.

98 J. W. Springstead et al., vs. Crawfordsville State Bank Plaintiffs in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. C. Durant, of counsel for the plaintiffs in error, and by Mr. Peter O. Knight and Mr C. Fred Thompson, of counsel for the defendant in error.

94 Joe Darsey, vs. The State of Georgia Plaintiff in Error. The argument of this cause was commenced by Mr. John Randolph Cooper, of counsel for the plaintiff in error. The Court declined to hear further argument.

99 Edgar N. Collins, Trustee, vs. Edward Scharff et al. Plaintiff in Error. The argument of this cause was commenced by

of counsel for the plaintiff in error, and continued by Mr. Charles A. McCoy, of counsel for the defendants in error, and Mr. A. P. Pujo, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned

Friday, December 5th, 1913.

Pursuant to adjournment, the Court met to-day at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes Associate
Willis Van Devanter Justices
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John T. Shelby, it is ordered that John Craig Shelby, Esquire, of Lexington, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Yerkes, it is ordered that Alfred Le Roy Becker, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. W. E. Humphrey, it is ordered that Howard Arthur Hanson, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Chillon, it is ordered that James A. Bent and Russell H. Allen, Esquires, of Elkins, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

106 Fred E. Earnhart, Plaintiff in Error, vs. John B. Switzler — In Error to the Supreme Court of the State of Oregon.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White.

Friday, December 5th, 1913, continued

Quentin Garrett, by William C. Garrett, his next friend.
vs. Plaintiff in Error.
American Baptist Home Mission Society et al.

In Error to the Supreme Court of the State of Oklahoma

110

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Edgar N. Collins, Trustee.
vs. Plaintiff in Error.
Edward Scharff et al.

The argument of this cause was concluded by Mr. A. P. Pujo, of counsel for the plaintiff in error.

99

Chesapeake & Ohio Railway Co.,
vs. Plaintiff in Error.
L. B. Cockrell, as Administrator, etc.

This cause was argued by Mr. John T. Shelby, of counsel for the plaintiff in error, and by Mr. Edward S. Jouett, of counsel for the defendant in error.

100

103 John E. Heavner et al., vs. Plaintiffs in Error, The City of Elkins.

The argument of this cause was commenced by Mr. James A. Dent, of counsel for the plaintiffs in error, and continued by Mr. R. A. Allen, of counsel for the defendant in error.

(Proclamation being made, the Court is ad-

Monday, December 8th 1913.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney,
Associate Justices.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that Barnette E. Moses, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Percy V. Long, it is ordered that Milton T. McRae, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. D. W. O'Donoghue, it is ordered that John N. Zabel, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. P. Campbell, it is ordered that John S. Dean, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gilbert P. Ritter, it is ordered that Heath Sutherland, Esquire, of Hartford State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joe T. Robinson, it is ordered that N. F. Rolleson, Esquire, of Marianna, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Louis Bartlett, Esquire, of San

to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Luciano Chavez, Apolonio Chavez, Gregorio Chavez et al.,

vs. Appellants,

Eloisa Luna de Burgess, Alfred M. Burgess, Adelina Otero et al.

Appeal from the Supreme Court of the Territory of New Mexico

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of New Mexico. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of New Mexico.

Per Mr. Justice Van Devanter

Frank F. Graham and The Title Guaranty & Surety Co.		In Error to the United States Circuit Court of Appeals for the Fourth Circuit.
716	vs. Plaintiffs in Error,	
The United States of America		

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Maryland.

Per Mr. Justice Holmes.

(Mr. Chief Justice White took no part in the consideration or decision of this case.)

Grand Trunk Railway Co. of Canada and Detroit, Grand Haven & Milwaukee Railway Co.,		Appeal from the District Court of the United States for the Eastern District of Michigan.
382	vs. Appellants	
Michigan Railroad Commission, Cassius L. Glasgow, Lawton T. Hemans, George W. Dickinson, and Franz C. Kuhn, Attorney General of the State of Michigan.		

script of the record from the District Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice McKenna.

911 Joe Darsey, Plaintiff in Error, vs. The State of Georgia — In Error to the Supreme Court of the State of Georgia

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice White.

788 Atlantic Coast Line Railroad Co., Plaintiff in Error, vs. James A. Miller — In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court

by counsel On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice White

Louis Elie Joseph Henry de Galard de Brassac de Bearn, Count and Prince of Bearn and Chalais,

vs. Plaintiff in Error.

Pierre de Bearn

In Error to the Court of Appeals of the State of Maryland.

535

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland and on motion to dismiss or affirm which was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice White

559

Louis Elie Joseph Henry de Galard de Brassac de Bearn, Count and Prince of Bearn and Chalais,
vs. Plaintiff in Error,
Francois de Bearn

In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice White.

560

Louis Elie Joseph Henry de Galard de Brassac de Bearn, Count and Prince of Bearn and Chalais,
vs. Plaintiff in Error,
Odon de Bearn.

In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that

same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

Louis Elie Joseph Henry de Galard de Brassac de Bearn Count and Prince of Bearn and Chalais, Plaintiff in Error. vs. Jean Baptiste Chaumel. — In Error to the Court of Appeals of the State of Maryland.

561

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

Clarence B. Wood, Plaintiff in Error. vs. The United States. — On consideration of the motion to docket and dismiss this cause pursuant to the 9th rule, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Monday, December 8th, 1913, continued

389	Martha Young Administratrix, &c., vs Central Railroad Co. of New Jersey	Plaintiff in Error.

It is ordered by the Court that this cause be placed on the summary docket.

per Mr Chief Justice White

1150	The Atchison, Topeka & Santa Fe Railway Co. vs E. Robinson	Plaintiff in Error
1151	The Atchison, Topeka & Santa Fe Railway Co., vs H. F. Moore et al.	Plaintiff in Error.

It is ordered by the Court that these cases be placed on the summary docket.

per Mr. Chief Justice White

792	Stephen Canavan, vs Jesus Romero, Sheriff &c	Appellant,

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White.

409	Joseph F. Guffey et al. vs James A. Emich et al.	Petitioners.
410	Joseph F. Guffey et al vs Susannah Emich et al	Petitioners.

On consideration of the motion to advance these cases. It is now here ordered by the Court that said motion

is hereby, denied.

Per Mr. Chief Justice White

760 Robert C. Bacon et al., Appellants, vs. Rutland Railroad Co. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White

761 Elizabeth S. Rutland, Petitioner, vs. St Louis & San Francisco Railroad Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Monday, December 8th 1913, continued

753 Sara Uye, widow of John Uye, vs. The Hamburg American ische Packetsaket Aktien Gesellschaft. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

754 John Barton Miller, vs. The United States. Petitioner. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

793 The Allen & Wheeler Co., Appellant, vs. Hanover Star Milling Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted.

per Mr. Chief Justice White

502 C. M. Summers, Petitioner vs. The United States. The motion to modify the judgment in this cause was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Davis in support of the same, and Mr. Albert Fink, Mr. Lewis C. Shackleford, Mr. Addie B. Browne, Mr. Alexander Britton, Mr. Evans Browne, and Mr. Kunnel R. Babbitt in opposition thereto.

639 George A. Henry, Appellant, vs. William Henkel, United States Marshal, &c. Mr. Solicitor General Davis, of counsel for the appellee, submitted to the consideration of

787. The United States. vs. Plaintiff in Error, Sam Pelican et al. etc. Mr. Solicitor General Davis, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

808. Herman C. A. Herold, Collector, vs. Petitioner, Mutual Benefit Life Insurance Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Solicitor General Davis in support of the same, and Mr. John C. A Tilney and Mr. John K. Harden in opposition thereto.

634. Margaret A. Williamson vs. Katherine Overton. Mr. K. C. Linn, of counsel for Katherine Overton, submitted to the consideration of the Court a motion to dismiss this cause or to place the same on the summary docket.

754. The Holden Land & Live Stock Co., et al., vs. Plaintiffs in Error, Interstate Trading Co., et al. The motion to dismiss in this cause was submitted to the

of the Court on printed arguments by Mr. John S. Dean and Mr. T. F. Doran in support of the same, and Mr. Charles Blood Smith and Mr. E. P. Garnett in opposition thereto.

Ex parte: In the matter of Adolph Grunsinger. Petitioner

Original.

Mr. George F. Curtis, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus in this cause.

The Oceanic Steam Navigation Co., etc.,

vs.

W. J. Meller et al.

795

Mr Charles W. Burlingham, of counsel for the Oceanic Steam Navigation Co., submitted to the consideration of the Court a motion to advance this cause, and Mr. George Whitefield Betts, Jr., of counsel for Meller and Anderson, also submitted to the consideration of the Court a motion to advance this cause.

E. P. McCabe et al., Appellants,

vs.

Atchison, Topeka & Santa Fe Railway Co.

111

On motion of Mr. William Harrison, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of rule 36.

Monday, December 8th. 1913. continued

175. Le Roy Fibre Co. vs. Chicago, Milwaukee & St. Paul Railway Co. — Mr. Joseph D. Sullivan, in behalf of counsel for the Railway Company, submitted to the consideration of the Court a motion for a writ of certiorari to bring up the entire record and cause

691. Seaboard Air Line Railway, Plaintiff in Error, vs. James T. Norton. — The motions to dismiss or affirm, or to place the cause on the summary docket, were submitted to the consideration of the Court on the record and printed arguments by Mr. William C. Douglass in support of the same, and Mr. N. A. Herbert, Mr. Benjamin Micou and Mr. Richard S. Whiteley in opposition thereto

117. Kapiolani Estate, Limited, Plaintiff in Error, vs. The Territory of Hawaii by Marston Campbell, Commissioner of Public Lands. — In Error to the Supreme Court of the Territory of Hawaii.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, so it is, therefore, in pursu-

here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White.

103 John E. Heavner et al. vs. The City of Elkins — Plaintiffs in Error. The argument of this cause was continued by Mr. R. N. Allen, of counsel for the defendant in error, and concluded by Mr. James A. Bent, of counsel for the plaintiffs in error.

104 George N. Pierce Co. vs. Wells, Fargo & Co. — Petitioner. This cause was argued by Mr. Alfred Le Roy Becker, of counsel for the petitioner, and by Mr. Charles W. Pierson, of counsel for the respondent.

105 Hagon John, Guardian, &c., vs. Lewis Paullin et al. — Plaintiff in Error. The argument of this cause was commenced by Mr. Edward F. Colladay, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Tuesday, December 9th, 1913.

Pursuant to adjournment, the Court met to-day at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
Associate Justices

J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry M. Goldfogle, it is ordered that Philip J. Schick, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. J. Walsh, it is ordered that Francis A. Garrecht, Esquire, of Walla Walla, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Tuesday, December 9th, 1913. continued

119	Mary F. Rainey, Administratrix, etc., vs. W. R. Grace & Co.	This cause was submitted to the consideration of the Court on the certificate and a printed argument by Mr. W. H. Gorham, of counsel for Rainey, Administratrix. No counsel appeared for W. R. Grace & Co.
105.	Hagon John, Guardian, &c., Plaintiff in Error, vs. John B. Switzler	The argument of this cause was concluded by Mr. Edward F. Colladay, of counsel for the plaintiff in error, and the cause was submitted on a printed argument by Mr. W. T. Sprowles, of counsel for the defendant in error.
107.	Seattle, Renton & Southern Railway Co., Plaintiff in Error, vs. The State of Washington ex rel. Linhoff	This cause was argued by Mr. Howard A. Hanson, of counsel for the defendant in error, and submitted on the record and a printed argument by Mr. James A. Kerr, of counsel for the plaintiff in error.

108. William P. Trimble et al., Plaintiffs in Error. vs. The City of Seattle. This cause was argued by Mr. Howard A Hanson, of counsel for the defendant in error, and submitted on the record and a printed argument by Mr. C. W. Corliss, of counsel for the plaintiffs in error

115 The United States of America Plaintiff in Error. and Appellant, vs. The Antikamnia Chemical Co. This cause was argued by Mr. Solicitor General Davis, of counsel for the plaintiff in error and appellant, and Mr. D. W. Baker, of counsel for the defendant in error and appellee.

116 Isaac N. Boarts, Trustee in bankruptcy of the Fox town Distilling Co., Appellant, vs. J. M. Selden & Co. Appeal from the United States Circuit Court of Appeals for the Third Circuit

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Tuesday, December 9th, 1913, continued

115 Joseph A. Yancey, Trustee, &c., Appellant,
vs.
Penn National Bank of Reading

The argument of this cause was commenced by Mr. Joseph Hill Brinton, of counsel for the appellant, and continued by Mr. A. Leo Weil and Mr. Lawrence Maxwell, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Wednesday, December 10th. 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Alfred Battle, it is ordered that George B. Cole, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. W. Winston, it is ordered that D. C. Humphrey, Esquire, of Goldsboro, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

behalf by Mr. Kenneth S. Murchison, it is ordered that Jerre S. O'Meara, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. John G. Johnson, it is ordered that Thomas Bates, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

135. Joseph Provoost, Plaintiff in Error, vs. The United States. On motion of Mr. William Wallace, Jr., of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of rule 216

124. Peter J. O'Reilly, Plaintiff in Error, vs. Dora F. Noxon, as Administratrix, etc. In Error to the Supreme Court of the State of Colorado.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore,

now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White.

126 Washington Dredging & Improvement Co., Plaintiff in Error, vs. The State of Washington et al. — On motion of Mr. W. F. Hays, of counsel for the plaintiff in error, twenty days' time in which to print the transcript of the record in this cause is hereby granted

129 Theodore Swenson, Plaintiff in Error, vs. The People of the State of Michigan. — In Error to the Supreme Court of the State of Michigan

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White

115 Joseph A. Taney, Trustee, &c., Appellant, vs. The Penn National Bank of Reading. The argument of this cause was continued by Mr. Lawrence Maxwell, and Mr. Philip S. Zieber, of counsel for the appellee, and concluded by Mr. Joseph Hill Brinton, of counsel for the appellant.

116 Atlantic Coast Line Railroad Co., Plaintiff in Error. vs. City of Goldsboro, N. C. This cause was argued by Mr. Frederic D. McKenney, of counsel for the plaintiff in error, and by Mr. Robert W. Winston, of counsel for the defendant in error.

120 German Alliance Insurance Co., Appellant. vs. Ike Lewis, as Superintendent of Insurance, etc. The argument of this cause was commenced by Mr. Thomas Bates, of counsel for the appellant; continued by Mr. John S. Dawson, of counsel for the appellee, and concluded by Mr. John G. Johnson, of counsel for the appellant.

121 Boston & Maine Railroad, Plaintiff in Error. vs. Katharine Hooker The argument of this cause was commenced by

Wednesday, December 10th, 1913, continued

N. Weir, of counsel for the plaintiff in error.

Proclamation being made, the Court is ad-

Thursday, December 11th, 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes — Associate
Willis Van Devanter — Justices
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. F. English, it is ordered that James F. Ferlin, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John N. Shields, it is ordered that Noah W. Cooper, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that William V. Stuart, Esquire, of Lafayette, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

131. Louis F. Swift et al., Appellants, vs. Luman T. Hoy, United States Marshal in and for the Northern District of Illinois. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed without costs to either party; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois.

Per Mr. Justice McKenna.

121 Boston & Maine Railroad, Plaintiff in Error, vs. Katharine Hooker. The argument of this cause was continued by Mr Frederick N. Wier,

of counsel for the plaintiff in error, and Mr. Samuel Williston, of counsel for the defendant

Thursday, December 11th, 1913, continued

Mr. Weir, of counsel for the plaintiff in error.

122 Robert S. Ross et al., Plaintiffs in Error, vs. James Day.

This cause was argued by Mr. Kenneth B. Murchison of counsel for the plaintiffs in error, and Mr. Jere D. Meara, of counsel for the defendant in error.

123 Washington Dredging & Improvement Co., Plaintiff in Error, vs. The State of Washington et al.

The argument of this cause was commenced by Mr. W. F. Hays, of counsel for the plaintiff in error, and continued by Mr. Alfred Battle, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Friday. December 12th. 1913.

Pursuant to adjournment, the Court met to day at the Capitol.

Present:

The Honorable Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes Associate
Willis Van Devanter Justices
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James Hamilton Lewis, it is ordered that Patrick J. Lucey, Esquire, of Streator, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William B. Harrison, it is ordered that Elroy M. Clark, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of Adolph Grimsinger. —Original. Petitioner.

On motion of Mr. Assistant Attorney General Wallace, of counsel for The United States, leave is hereby granted to file a brief in opposition to the motion for leave to file a petition for a writ of habeas corpus in this cause.

134 Julio O. Abril. vs. Plaintiff in Error, Sucrerie Centrale Coloso, a Corporation.

In Error to the District Court of the United States for Porto Rico.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice McKenna.

135 Washington Dredging & Improvement Co., vs. Plaintiff in Error, The State of Washington et al.

The argument of this cause was continued by Mr. Alfred Battle and Mr. George B. Cole, of counsel for the defendants in error, and concluded by Mr. W. F. Hays, of counsel

82. Chapman & Dewey Lumber Co. et al., vs. Plaintiffs in Error, Board of Directors of So. Francis Levee District. This cause was argued by Mr. Henry D. Ashley of counsel for the plaintiffs in error, and Mr. Samuel Adams, of counsel for the defendant in error.

130 Rafael Martinez Nadal, vs. Plaintiff in Error, David W. May. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. N. B. K. Pettingill and Mr. T. L. Connell, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

133 Harry I. Mulcrevy et al., vs Plaintiffs in Error, City and County of San Francisco The argument of this cause was commenced by Mr. James F Tevlin, of counsel for the plaintiffs in error.

Proclamation being made, the Court is ad-

Monday, December 15th. 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices

J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that Frank G. Turner, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. John F. English, it is ordered that Thomas Edward Nayden, Esquire, of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. Chamberlain, it is ordered that E. E. Covert, Esquire, of Portland State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Thompson, it is ordered that N. O Casler Esquire, of Oberlin State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Watson, it is ordered that Thomas Howe, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. P. Bryan, it is ordered that J. W. Kehoe, and Emmett Wilson, Esquires, of Pensacola, State of Florida, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M Graham, it is ordered

State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Barker, it is ordered that William T. Rutherford, Esquire, of Jefferson City, and Thomas J. Higgs, Esquire, of Kansas City, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morton Jourdan, it is ordered that Luke E. Hart, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Amory Eliot, Administrator of Mary R. Peabody, deceased, Saco and Biddeford Savings Institution, Samuel Ellery Jennison and The Portsmouth Harbor Land and Hotel Co., Appellants,

vs.

The United States.

Appeal from the Court of Claims.

289

This cause came on to be heard on the

Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed

Per Mr Justice Hughes

Clifford G. Ludwigh, as Trustee in Bankruptcy of the Estate and Effects of Phillip Horowitz and Joseph Horowitz, Individually and as Copartners etc.,

vs. Appellant,

The American Woolen Co. of New York and The Niagara Woolen Co.

No. 53.

Appeal from the United States Circuit Court of Appeals for the Second Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York

99 Edgar N. Collins, Trustee. vs. Edward Schaff et al. Plaintiff in Error. In Error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

(Mr. Justice Pitney concurs in the result.)

544 Arthur Greey, as Trustee in bankruptcy of Schwab-Kepner Co., Bankrupt, vs. John E. Dockendorff. Appellant. Appeal from the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this

to the District Court of the United States for the District of New Jersey.

Per Mr. Justice Holmes

56. New York Life Insurance Co., Plaintiff in Error, vs. Dear Lodge County. In Error to the Supreme Court of the State of Montana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna

Dissenting:
Mr. Justice Hughes
Mr. Justice Van Devanter

732. The United States, Plaintiff in Error, vs. John N. Carter In Error to the District Court of the United States for the Western District of North Carolina

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of North Carolina, and on motion to dismiss

whereof. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

Paris & Great Northern Railway Co. Plaintiff in Error, vs. Mrs. Georgia Boston and Albert Morris Boston and Peter Cooper Boston, minors, represented by Mrs. Georgia Boston as next friend

In Error to the Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas, and was argued by counsel. (the Court being equally divided in opinion) On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Texas.

Per Mr. Chief Justice White

Washington Dredging & Improvement Co., Plaintiff in Error
vs. In Error to the Supreme Court of the State of Washington
The State of Washington
E. V. Bussett et al.
127

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

John E. Kearner, Jay Monroe Harper and George W. Adameon, Plaintiffs in Error,
vs. In Error to the Supreme Court of Appeals of the State of West Virginia
The City of Elkins
103.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Ex parte: In the matter of Adolph Grimsinger. Petitioner.
Original

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

639 George G. Henry, Appellant, vs. William Henkel, U. S. Marshal, &c.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday in January next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice White

787 The United States. Plaintiff in Error, vs. Sam Pelican et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday in January next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice White.

The Oceanic Steam Navigation Co., Limited, etc.
vs.
William J. Mellor and Harry Anderson.

No. 798.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

C. M. Summers, Petitioner.
vs.
The United States.

No. 802.

On consideration of the motion to modify the judgment of this Court in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

The Holden Land & Live Stock Co., et al.,
vs. Plaintiffs in Error.
Interstate Trading Co., et al.

No. 351.

It is ordered by the Court that this cause be placed on the summary docket.

Per Mr. Chief Justice White.

Margaret N. Williamson.
634 vs.
Katherine Ouinton.

It is ordered by the Court that this cause be placed on the summary docket.

Per Mr. Chief Justice White

Seaboard Air Line Railway.
691 vs. Plaintiff in Error.
James T Norton.

It is ordered by the Court that this cause be placed on the summary docket.

Per Mr. Chief Justice White

Le Roy Fibre Co.,
175 vs.
Chicago, Milwaukee & St Paul Railway Co.

On consideration of the petition for a writ of certiorari to bring up the entire record and cause.

It is now here ordered by the Court that said petition be, and the same is hereby, denied without prejudice.

Per Mr. Chief Justice White.

Herman C. N. Herold, Collector of Internal Revenue,
808 vs. Petitioner,
The Mutual Benefit Life Insurance Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

The Chief Justice announced that the Court will take a recess from Monday, the 22d instant, to Monday, January 5, 1914.

172. Minidoka & Southwestern Railroad Co., et al., Appellants, vs. The United States. On motion of Mr. Solicitor General Davis, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

356 Leon Cardenas Martinez, Plaintiff in Error, vs. The State of Texas. The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. B. F. Looney in support of the same

Ex parte: In the matter of Jonas Jones, Petitioner.
___ Original

Mr. Claude Weaver of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus in this cause.

166. International Harvester Co. of America, Plaintiff in Error, vs. The State of Missouri on the information of its Attorney General.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record by Mr. John T. Barker of counsel for the defendant in error, and leave was granted counsel for both sides to file briefs in support of and against the same hereafter

166 International Harvester Co. of America, Plaintiff in Error, vs. The State of Missouri on the information of its Attorney General.

On motion of Mr. John T. Barker, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, passed, per stipulation of counsel.

The United States of America, Plaintiff in Error
115. vs. and Appellant.
The Antikamnia Chemical Co.

On motion of Mr. D. W. Baker, of counsel for the defendant in error and appellee, leave is hereby granted to file an additional brief herein on that behalf.

The State of Wisconsin upon the relation of Harry W. Bolens, Plaintiff in Error.
44 vs.
James A. Frear, Secretary of State, et al.

The motions to dismiss in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. W. C. Owen, Mr. George G. Greene and Mr. J. E. Dodge in support of the same, and Mr. Paul D. Carpenter in opposition thereto.

Hamilton-Brown Shoe Co., Petitioner.
813 vs.
The Wolf Brothers & Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Henry S. Priest, Mr. Morton Jourdan and Mr. Luke E. Hart in support of the same, and Mr. Lawrence Maxwell, Mr. Percy Werner, and Mr. Simeon M. Johnson in opposition thereto.

179 The People of the State of Illinois ex rel. Charles S. Deneen, Governor, et al., Plaintiffs in Error, vs. The Economy Light & Power Co.

Mr. Horace K. Tenney, of counsel for the plaintiffs in error, suggested the expiration of the term of office of Charles S. Deneen as Governor, and William H. Stead as Attorney General of the State of Illinois, and moved the Court to make Edward F. Dunne and Patrick J. Lucey, their respective successors in said offices, the parties plaintiffs in error in this cause.

179 The People of the State of Illinois ex rel. Charles S. Deneen, Governor, et al., Plaintiffs in Error, vs. The Economy Light & Power Co.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Frank H. Scott, Mr. Gilbert E. Porter, and Mr. Edgar A. Bancroft in support of the same, and by Mr. Merritt Starr, Mr. Horace Kent Tenney, Mr. Elijah N. Zoline, Mr. John S. Miller, and Mr. George Packard in opposition thereto.

377 Frank J. Willoughby et al. vs. Plaintiffs in Error. The City of Chicago. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William H. Sexton and Mr. Philip J. McKenna in support of the same, and Mr. Charles N. Holden in opposition thereto.

382 Alexander C. M. Pennington, vs. Appellant, The United States. This cause was submitted to the consideration of the Court pursuant to the twenty-six rule on the record and printed arguments by Mr. George A. King, Mr. William B. King and Mr. William E. Harvey, of counsel for the appellant, and Mr. Assistant Attorney General Thompson, of counsel for the appellee.

445 James C. Yancey, vs. Appellant, The United States. Appeal from the District Court of the United States for the Southern District of California.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal

Grand Lodge Knights of Pythias, North America, South America, Europe, Asia, Africa and Australia, et al.,

vs.

The Supreme Lodge Knights of Pythias, The Grand Lodge Knights of Pythias of Tennessee, et al.

In Error to the Supreme Court of the State of Tennessee.

261

Plaintiffs in Error.

It appearing to the Court that a confession of error by counsel for the defendants in error and a consent that the judgment of the Supreme Court of the State of Tennessee in this cause may be reversed, has been filed, Therefore, in pursuance of said confession and consent, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings.

Per Mr. Chief Justice White

The United States Trust Co. of the District of Columbia, Ancillary Administrator of the Estate of Edward Kahn, Sr., deceased.

vs. Appellant,

The National Savings & Trust Co. of the District of Columbia, Administrator of the Estate of James A. Hopkins, deceased.

Appeal from the Court of Appeals of the District of Columbia.

147

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, and adjudged by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

F. O. Norris et al.,

vs. Appellants,

J. E. Johnson et al.

It is ordered by the Court that this cause be, and the same is hereby, passed

114

subject to the provisions of section 4 of rule 36.

133. Harry I. Mulcrevy et al., Plaintiffs in Error. vs. City and County of San Francisco. The argument of this cause was continued by Mr. James F. Tobin, of counsel for the plaintiffs in error, and concluded by Mr J. F. English, of counsel for the defendant in error.

134. Pizá Hermanos, S. en C., Appellants. vs. Ricardo A. Gandia Calderley. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Frederic R. Coudert and Mr Paul Fuller, of counsel for the appellants, and Mr. Charles F. Carusi, of counsel for the appellee.

135. Missouri Pacific Railway Co., Plaintiff in Error. vs. F. D. Larabee et al. The argument of this cause was commenced by Mr D. P. Waggener, of counsel for the plaintiff in error, and continued by Mr. Charles Blood Smith, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Tuesday, December 16th, 1913.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Reese F. Voorhees, it is ordered that Fred B. Morrill, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Newton Hance Lassiter, Esquire, of Fort Worth, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

152. Samuel W. Curriden, Appellant, vs. Frank L. Middleton et al.

On motion of Mr. William F. Columbus, in behalf of counsel for the appellant.

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of rule 26

135. Missouri Pacific Railway Co., Plaintiff in Error, vs. T. D. Larabee et al.

The argument of this cause was continued by Mr. Charles Blood Smith and Mr. Joseph G. Waters, of counsel for the defendants in error, and concluded by Mr. B. F. Waggener, of counsel for the plaintiff in error.

135. National Safe Deposit Co., Plaintiff in Error, vs. William H. Stead, Attorney General, etc., et al.

The argument of this cause was commenced by Mr. George Packard, of counsel for the plaintiff in error; continued by Mr. Patrick J. Lucey, of counsel for the defendants in error, and concluded by Mr. John S. Miller, of counsel for the plaintiff in error.

	The Bass Brothers Mercantile Co.,	The argument of this cause was commenced by Mr. William B. Harrison of counsel for the
140.	vs. Plaintiff in Error.	
	The Denver & Rio Grande Railroad Co.	
	Plaintiff in error.	

Proclamation being made, the Court is ad-

Wednesday, December 17th, 1913.

Pursuant to adjournment the Court met today at the Capitol.

(Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices

J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert L. Manning, it is ordered that George H. Warren, Esquire, of Manchester, State of New Hampshire, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lee S. Overman, it is ordered that Mark W. Brown, Esquire, of Asheville and George S. Bradshaw, Esquire, of Greensboro, State of North Carolina, be admitted to practice as attorneys and counsellors of

On motion first made to the Court in this behalf by Mr. Daniel Davenport, it is ordered that Charles Stuart Canfield, Esquire, of Bridgeport, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that Will E. Orgain, Esquire, of Beaumont, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

155. Alexander R. Magruder et al., Appellants, vs. Samuel A. Drury et al., Trustees

On motion of Mr. Clarence R. Wilson in behalf of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of rule 26.

140 The Bain Brothers Mercantile Co., Plaintiff in Error, vs. The Denver & Rio Grande Railroad Co.

The argument of this cause was continued by Mr. William B. Harrison, of counsel for the plaintiff

for the defendant in error, and concluded by Mr. William B. Harrison, of counsel for the plaintiff in error.

111 William Seim et al., vs. James D. Hurd et al. The Woodward Co. vs. James D. Hurd et al. 112.

These cases were argued by Mr. C. K. Offield of counsel for Seim and Reissig and the Woodward Company, and Mr. Walter E. Ward for Hurd et al.

114 North Carolina Railroad Company, Plaintiff in Error, vs. James A. Zachary, Administrator, etc.

The argument of this cause was commenced by Mr. John K. Grades, of counsel for the plaintiff in error, and continued by Mr. Thomas A. Calvert, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Robert J. Fisher, it is ordered that Seward Davis, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

1411 North Carolina Railroad Company, Plaintiff in Error, vs. James A. Zachary, Administrator, &c.

The argument of this cause was continued by Mr. Thomas N. Colvert, of counsel for the defendant in error, and concluded by Mr. John K. Graves,

Nathaniel W. Hobbs, Trustee,
1118. vs. Appellant,
Head & Dowst Co.

The argument of the cause was commenced by Mr. Henry F. Hollis, of counsel for the appellant, and continued by Mr. George H. Warren and Mr. Robert L. Manning, of counsel for the appellee, and by Mr. Henry F. Hollis, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Friday, December 19th. 1913.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William H. Thompson, it is ordered that E. A. Benson, Esquire, of Colby, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert E. McNamara, it is ordered that Henry L. Wolfe, Jr., Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Charles E. Townsend, it is ordered that Lawrence Y. Sherman, Esquire, of Springfield, and Frederic R. De Young, Esquire, of Chicago, State of Illinois, and Clyde J. Webster, Esquire, of Detroit, State of Michigan, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. P. Campbell, it is ordered that William Cullen Burns, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence Y. Sherman, it is ordered that Henry Horner, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. J. Rockwood, it is ordered that William Feurt, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of Jonas Jones. Petitioner. Original.

On motion of Mr. Solicitor General Davis, of counsel for the United States, leave is hereby granted to file a brief in opposition to the motion for leave to file a petition for a writ of habeas corpus in this cause.

148. Nathaniel W. Hobbs, Trustee. vs. Appellant. Head & Dowst Co.

The argument of this cause was concluded by Mr. Henry T. Hollis, of counsel for the appellant.

150 Chicago, Milwaukee & St. Paul Railway Co. vs. Plaintiff in Error. City of Minneapolis

This cause was argued by Mr. J. W. Root, of counsel for the plaintiff in error, and by Mr. C. J. Rockwood, of counsel for the defendant in error.

151. Edwin L. Gauthier. vs. Plaintiff in Error. Peter Morrison et al.

This cause was argued by Mr. Fred B. Morrill, of counsel for the plaintiff in error, and Mr. Reese H. Voorhees, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Monday, December 22d, 1913.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. S. S. Menard, it is ordered that Joseph N. Ulman, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. W. Hewlett, it is ordered that Sylvester L. McLaurin, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

half by Mr. Daniel N. Clark, it is ordered that Edward K. Harvey, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Daniel W. Baker, Plaintiff in Error, vs. Brainerd H. Warner. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia, and to remand the case to that Court with directions to grant a new trial and for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Lamar.

Daniel W. Baker, Plaintiff in Error. vs. Brainerd N. Warner

In Error to the Court of Appeals of the District of Columbia

No. 114.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and to remand the case to that court with directions to grant a new trial and for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Lamar

Hagon John, Guardian of Oscar and Annie Loman, minors. Plaintiffs in Error. vs. Lewis Paullin, Choctaw-Chickasaw Investment Co., et al.

In Error to the Supreme Court of the State of Oklahoma.

No. 105.

This cause came on to be heard on the transcript of the record from the Supreme Court

by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Van Devanter.

Phoenix Railway Co.,
vs. Plaintiff in Error,
Lee N. Landis, Administrator of the estate of
George W. Landis, deceased.

In Error to the Supreme Court of the Territory of Arizona

61

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of Arizona. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona.

Per Mr. Justice Hughes.

The Pullman Co., Appellant,
vs.
W. V. Knott, Comptroller of the State of Florida

No. 38.

It is ordered by the Court that the order heretofore entered in this cause on April 21st, 1913, substituting W. V. Knott, Comptroller of the State of Florida, for A. C. Croom, Comptroller of the State of Florida, as the party appellee in this cause be, and the same is hereby, vacated and set aside.

Per Mr. Justice Day.

The Pullman Co., Appellant,
vs.
W. V. Knott, as Comptroller of the State of Florida, and J. C. Lunning, as Treasurer of the State of Florida

No. 158

It is ordered by the Court that the order heretofore entered in this cause on April 21st, 1913, substituting W. V. Knott, Comptroller of the State of Florida, for A. C. Croom, as such Comptroller, and J. C. Lunning, as Treasurer of the State of Florida, for W. V. Knott as such Treasurer, as parties appellee in this cause be, and the same is hereby, vacated and set aside

Per Mr. Justice Day.

35. The Pullman Co., Appellant, vs. A. C. Croom, Comptroller of the State of Florida

Appeal from the Circuit Court of the United States for the Northern District of Florida

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for want of a proper appellee to stand in judgment upon the only question brought to this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Florida.

Per Mr. Justice Day.

155 The Pullman Co., Appellant, vs. A. C. Croom, as Comptroller of the State of Florida, and J. C. Lanning, as Treasurer of the State of Florida

Appeal from the Circuit Court of the United States for the Northern District of Florida

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On

consideration whereof. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of a proper appellee to stand in judgment upon the only question brought to this Court. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Florida.

Per Mr. Justice Day.

Seattle, Renton & Southern Railway Co., Plaintiff in Error, vs. The State of Washington ex rel A. G. Linhoff. In Error to the Supreme Court of the State of Washington

167

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Holmes.

The Aetna Life Insurance Co.,
vs. Petitioner
John T. Moore, Administrator of John A. Salgue, deceased

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Georgia, with directions to grant a new trial.

Per Mr. Justice McKenna.

Dissenting:
Mr. Justice Pitney.

The Prudential Insurance Co. of America.
vs. Petitioner
John T. Moore, Administrator of John Andrew Salgue, deceased.

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit

script of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Georgia, with directions to grant a new trial.

Per Mr. Justice McKenna.

Dissenting:
Mr. Justice Pitney.

J. W. Springstead, J. C. Burwell, W. A. Fulton et al., Plaintiffs in Error, vs. Crawfordsville State Bank. In Error to the Circuit Court of the United States for the Southern District of Florida.

No. 93.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United

with direction to allow plaintiff to amend by alleging the citizenship of the original parties to the paper within such time as the Court shall think proper, and upon failure to do so, to dismiss for want of jurisdiction.

Per Mr. Chief Justice White.

The People of the State of New York, Complainant, vs. State of New Jersey and Passaic Valley Sewerage Commissioners.

No. 3, Original.

It being brought to the attention of the Court that counsel for the respective parties herein have agreed upon the amount hereinafter named as reasonable compensation to be paid to the Commissioner appointed to take and return the testimony in this cause in addition to the advances heretofore made for his expenses, It is now here ordered by the Court that the sum of five thousand dollars be, and it is hereby, allowed to James D. Maher, Esquire, as compensation for services rendered by him as Commissioner herein, one half of said amount to be paid by the complainant and one half by the defendants, said sum to be taxed as part of the costs.

Per Mr. Chief Justice White.

Ex parte: In the matter of Jonas Jones. Petitioner.

Original

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said motion be, and the same is hereby, denied

per Mr. Chief Justice White

The People of the State of Illinois, on the relation of Charles S. Deneen, Governor, and William H. Stead, Attorney General. Plaintiffs in Error.

vs.

The Economy Light & Power Co.

174

On consideration of the suggestion of the expiration of the terms of office of Charles S. Deneen, Governor, and William H. Stead Attorney General, respectively, of the State of Illinois, and of the election of Edward F. Dunne as Governor, and Patrick J. Lucey as Attorney General of the State of Illinois, and of the motion to substitute the said Edward F. Dunne, as Governor, and Patrick J. Lucey, as Attorney General, as the parties plaintiffs in error in this cause, It is now here ordered by the Court that the said Edward F. Dunne, as Governor, and Patrick J. Lucey, as Attorney General, be, and they are hereby, made the

174. The People of the State of Illinois, on the relation of Edward F. Dunne, Governor, et al., Plaintiffs in Error, vs. The Economy Light & Power Co. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White

377. Frank J. Willoughby et al., Plaintiffs in Error, vs. The City of Chicago. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White

813. Hamilton Brown Shoe Co., Petitioner, vs. The Wolf Brothers & Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is

petition be, and the same is hereby, granted.
per Mr. Chief Justice White.

Malinda Thurston,
Administratrix, etc.,
605 vs. Appellant,
The United States et al.

This cause was submitted to the consideration of the Court pursuant to the 20th rule on the record and printed arguments by Mr. Harry Peyton, Mr. F. Sprigg Perry and Mr. J. Wharton Clark of counsel for the appellant, and by Mr. Assistant Attorney General Thompson, of counsel for the appellees.

Clarence B. Wood,
800 vs. Plaintiff in Error.
The United States.

Mr. Solicitor General Davis, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

The People of the State of Illinois ex rel. Edward F. Dunne, Governor, et al.,
179 vs. Plaintiffs in Error,
The Economy Light & Power Co.

On motion of Mr. Harry A. Parkin, of counsel for the plaintiffs in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

807. The City of New York, Petitioner vs. William Sage, Jr. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Louis C. White in support of the same, and by Mr. Edward A. Alexander in opposition thereto.

Original. James M. Cockline, Petitioner vs. Adelaide Miller Bleick et al. — The petition for a writ of error in this cause was submitted to the consideration of the Court on printed arguments by Mr. Samuel S. Menard and Mr. Harvey A. Miller in support of the same, and Mr. John S. Ferguson and Mr. Joseph N. Ulman in opposition thereto.

795. Charles S. Intermeala, &c., Petitioner vs. David Perkins — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Walter S. Penfield in support of the same, and Mr. Charles E. Shepard in opposition thereto.

816. Annie Myers, Petitioner vs. Pittsburgh Coal Co. — The petition for a writ of certiorari herein was submit

ation of the Court on printed arguments by Mr. Edward C Goodwin in support of the same, and Mr. Charles Marshall Johnston in opposition thereto.

680 Fred W. Lake et al., vs. Plaintiffs in Error. Mary A. Bonynge et al.

681 Fred W. Lake et al., vs. Plaintiffs in Error. The Superior Court of the State of California in and for the County of Kern.

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr W. J. Hunsaker, Mr. E. W. Britt, Mr. Frank H. Short, and Mr. D. S. Ewing in support of the same, and by Mr. James F. Peck and Mr. Charles C. Boynton in opposition thereto.

806 Louis W. Prencia, etc., et al vs. Plaintiffs in Error. May Bulger.

Mr. William C. Prentice, of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to amend the writ of error in this cause.

740. Hanover Star Milling Co. Petitioner. vs. D. D. Metcalf. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Henry Fitts in support of the same, and by Mr. E. E. Longan and Mr. J. F. Gilster in opposition thereto.

419. Parker-Washington Co., Plaintiff in Error. vs. Harold Cramer, a minor, &c. The motion to dismiss or affirm and for damages in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Michael F. Gallagher in support of the same, and Mr. Shepard Barclay and Mr. Henry R. Rathbone in opposition thereto.

615. New Orleans & Northeastern Railroad Co., et al., Plaintiffs in Error. vs. National Rice Milling Co. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Gustave Lemle in support of the same, and Mr. John K. Graves and Mr. J. Blanc Monroe in opposition thereto.

Monday, January 5th, 1914.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices

J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that Nathan B. Williams, Esquire, of Fayetteville, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Henry E. Kahn, Esquire, of Houston State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. F. A. Durban, it is ordered that Robert J. King, Esquire, of Zanesville, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Paul Earnest, it is ordered that Nathaniel Barratt Smithers, Esquire, of Dover, State of Delaware, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward P. Smith, it is ordered that Bruce S. Elliott, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that James A. Donohoe, Esquire, of O'Neill, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. John D. Works, it is ordered that John W. Kemp, Albert Lee Stephens and

Monday. January 5th 1914. continued

State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

Annie Lapina
vs. Petitioner.
William Williams.
Commissioner of Immigration

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Pitney

65 Gila Valley, Globe & Northern Railway Co. M. P. Freeman, and M. P. Freeman and Frank H. Acreford Executors of N. B. Feeney, deceased, vs. John A. Hall.

Plaintiffs in Error.

In Error to the Supreme Court of the Territory of Arizona.

script of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of Arizona. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona.

Per Mr. Justice Pitney

87 The Bank of Arizona, Hugo Richards and Morris B. Hazelline, Plaintiffs in Error, vs. The Thomas Hardy Co

In Error to the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of Ari-

be, and the same is hereby, remanded to the Supreme Court of the State of Arizona.

Per Mr. Justice Pitney

Robert B. Ross and Fannie D. Ross,		In Error to the
132	vs. Plaintiffs in Error,	Supreme Court
James Day.		of the State of
		Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney.

The United States,		In Error to the
389	vs. Plaintiff in Error,	District Court
Eugene Buchanan.		of the United
		States for the

District of Colorado.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment

and the same is hereby affirmed.

Per Mr. Justice Lamar

135 National Safe Deposit Co. Plaintiff in Error. vs. William H. Stead. Attorney General of the State of Illinois, et al. In Error to the Supreme Court of the State of Illinois

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar

77. Joseph Swift. Plaintiff in Error. vs. Donald A. McPherson. In Error to the Supreme Court of the State of South Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same

317 The United States, Petitioner, vs. James B. Regan. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York, with a direction to grant a new trial.

Per Mr. Justice Van Devanter

18 Truman R. Hawley, Plaintiff in Error, vs. The City of Malden. In Error to the Superior Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court, in this cause be, and the same is hereby, affirmed with costs.

William M. Barrell, as President of the Adams Express Co., etc.,
83 vs. Appellant,
The City of New York et al.

The City of New York et al.,
84 vs. Appellants,
William M. Barrell, as President of the Adams Express Co.

Appeals from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed at the costs of The City of New York et al.; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York with direction to enter a decree in favor of the complainant in conformity with the opinion of this Court.

Per Mr. Justice Hughes

	Edward T. Platt, as Treasurer of the United States Express Co., etc.,	Appeals from the Circuit Court of the United States for the Southern District of New York
85	vs. Appellant.	
	The City of New York et al.	
	The City of New York et al.	
86	vs. Appellants,	
	Edward T. Platt, as Treasurer of the United Express Co., etc.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed at the costs of the City of New York et al.; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York with direction to enter a decree in favor of the complainant in conformity with the opinion of this Court.

Per Mr. Justice Hughes.

119. Mary F. Rainey, as Administratrix of the Estate of David L. Rainey, deceased vs. W. R. Grace & Company — On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of the Court that the first question must be answered in the affirmative, and the second question also in the affirmative so far as the fee in question to the Clerk of the Circuit Court of Appeals is involved. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Day.

165. Albert B. Cameron, Petitioner, vs. The United States — On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the

Circuit Court of Appeals in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York with directions to grant a new trial.

Per Mr. Justice Day.

George W. Radford, Plaintiff in Error, vs. Mary D. Myers, Executrix of the Estate of Elijah E. Myers, deceased. In Error to the Supreme Court of the State of Michigan

257

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

George E. Tinker, Plaintiff in Error, vs. Midland Valley Mercantile Co. In Error to the Supreme Court of the State of Oklahoma.

13

This cause came on to be heard on the

Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Holmes.

William P. Trimble, and Cannie F. Trimble,		In Error to the
	Plaintiffs in Error,	Supreme Court
108. vs.		of the State of
The City of Seattle.		Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Pizá Hermanos, S. en C.,		Appeal from the
	Appellant,	Supreme Court
134. vs.		of Porto Rico.
Ricardo A. Gandía Caldentey		

Monday, January 5th, 1914, continued

script of the record from the Supreme Court of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

148. Nathaniel W. Hobbs, Trustee, Appellant, vs. Head & Dorset Co. Appeal from the United States Circuit Court of Appeals for the First Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of New Hampshire.

Per Mr. Justice Holmes.

The United States,
375. vs. Plaintiff in Error,
Samuel E. Moist

In Error to the
District Court of
the United States
for the Northern

District of Illinois.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Holmes

Ex parte: In the matter
of the City of Louisville,
Kentucky,
11. Original. Petitioner.

On consideration
of the petition
for a writ of
mandamus herein, of the return
to the rule to show cause, and of the argument
of counsel thereupon had, as well in support
of as against the same, It is now here ordered
by the Court that the rule to show cause be
discharged, and that the said petition be,
and the same is hereby, denied.

Per Mr. Justice McKenna

Ex parte: In the matter of A. Englehard & Sons Co., Petitioner. On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the rule to show cause be discharged, and that the said Petition be, and the same is hereby, denied.

No. 12. Original.

Per Mr. Justice McKenna.

City of Louisville, Appellant, vs. Cumberland Telephone & Telegraph Co. Appeal from the District Court of the United States for the Western District of Kentucky.

No. 538.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

Mary Genevieve Pennell,
Administratrix of the
Estate of Jay Allen
Pennell, deceased.
469 vs. Plaintiff in Error.
Philadelphia & Reading
Railway Co.

In Error to the
United States
Circuit Court
of Appeals for
the Third Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Pennsylvania.

Per Mr. Justice McKenna

The United States of
America,
Plaintiff in Error
118 vs. and Appellant,
The Antikamnia Chemical Co.

In Error to and
Appeal from the
Court of Appeals
of the District
of Columbia

This cause came on to be heard on the transcript of the record from the Court of Ap-

was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the decree of the Supreme Court of the District of Columbia and remand the cause to that Court with direction to overrule the exceptions to the libel.

Per Mr. Justice McKenna.

Harry I. Mulcrevy and Fidelity & Deposit Co. of Maryland, Plaintiffs in Error, vs. City and County of San Francisco. — In Error to the Supreme Court of the State of California.

153 — This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

Ada E. N. Van Syckel, in her own right and Margaret Ethel Van Syckel et al., by Ada E. N. Van Syckel, their next friend.

vs. Appellants,

69 Juan Jose Arsuaga, et al., partners under the firm name of Sobrinos de Ezquiaga, and Paul A. English

Appeal from the District Court of the United States for Porto Rico

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr Chief Justice White.

Alexander C. M. Pennington,

vs. Appellant.

582 The United States

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged

Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice White.

The State of Wisconsin upon the relation of Harry W. Bolens, Plaintiff in Error, vs. James A. Frear, Secretary of State of the State of Wisconsin; Andrew A. Dahl, State Treasurer, et al. — In Error to the Supreme Court of the State of Wisconsin.

No. 117.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

The Wyandotte County Gas Co., Plaintiff in Error, vs. The State of Kansas on the relation of John Marshall, Attorney for the Public Utilities Commission of the State of Kansas. — In Error to the Supreme Court of the State of Kansas.

No. 172.

transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White.

James A. Work, Appellant,
vs. Appeal from the
116 United Globe Mines Supreme Court of
the Territory of Ari-
zona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona.

Per Mr. Chief Justice White.

Monday, January 5th, 1914. continued.

1149 Parker Washington Co., Plaintiff in Error, vs. Harold Cramer, a minor, by his next friend, Harriet E Sloane. In Error to the District Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

——— James M. Cockins, Petitioner vs. Adelaide Miller Bliss and Horace J. Miller. On consideration of the Petition for a writ of error herein to the Supreme Court of the State of Pennsylvania, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said Petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Louis W. Prenica et al.,
306 vs. Plaintiffs in Error.
Mary Bulger.

On consideration of the motion to amend the writ of error in this cause by inserting therein the names of Christian W. Schneider and The Title Guaranty & Surety Co. of Scranton, Pennsylvania, as parties plaintiffs in error, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White.

Clarence B. Wood,
500. vs. Plaintiff in Error.
The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, February 24th next.

Per Mr. Chief Justice White.

New Orleans & Northeastern
Railroad Co., et al.,
615. vs. Plaintiffs in Error.
National Rice Milling Co.

On consideration of the motion to dismiss or affirm in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and

dered that this cause be placed on the summary docket.

per Mr. Chief Justice White

740 Hanover Star Milling Co., Petitioner vs. D. D. Metcalf. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, granted

per Mr. Chief Justice White

807 The City of New York, Petitioner, vs. William Sage, Jr. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court

hereby granted.

Per Mr. Chief Justice White.

816 Annie Myers. Petitioner. vs. Pittsburgh Coal Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby granted. It is further ordered that this cause be placed on the summary docket.

Per Mr. Chief Justice White.

795 Charles S. Tutermela and American Surety Co., Petitioners. vs. David Perkins. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Monday, January 5th, 1914, continued

535. The United States of America, Plaintiff in Error, vs. Paul Scully et al.

Mr. Solicitor General Davis, of counsel for the plaintiff in error, submitted to the consideration of the Court a petition for a writ of certiorari in this cause.

---

639. George G. Henry, Appellant, vs. William Hunkel, United States Marshal, etc.

On motion of Mr. Solicitor General Davis, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Tuesday, February 24 next, after the case already assigned for that day.

---

829. The United States et al., Appellants, vs. Louisiana & Pacific Railway Co., et al.

830. Atchison, Topeka & Santa Fe Railway Co., Appellant, vs. Louisiana & Pacific Railway Co., et al.

831. The United States et al., Appellants, vs. Woodworth & Louisiana

Mr. Solicitor General Davis, of counsel for The United States, submitted to the consideration of the Court a motion to advance these cases.

The Atchison, Topeka & Santa Fe Railway Co. et al.
832 vs. Appellants.
Woodworth & Louisiana Central Railway Co. et al.
The United States et al.,
833 vs. Appellants.
Mansfield Railway & Transportation Co., et al.
The Atchison, Topeka & Santa Fe Railway Co., et al.,
834 vs. Appellants.
Mansfield Railway & Transportation Co., et al.
The United States et al.,
835. vs. Appellants.
Victoria, Fisher & Western Railroad Co. et al.
The Atchison, Topeka & Santa Fe Railway Co., et al.,
836 vs. Appellants.
Victoria, Fisher & Western Railroad Co., et al.
The United States et al.,
837 vs. Appellants.
Butler County Railroad Co.

Grand Trunk Western Railway Co.,
1135 vs. Plaintiff in Error.
George Lindsey.

The motion for an order directing the Clerk to call on the plaintiff in error for a deposit to cover clerk's costs and cost of printing the record in this cause was submitted to the consideration of the Court on printed arguments by Mr. James C. McShane in support of the same, and Mr. George W. Krelzinger, Jr., in opposition thereto.

Anthony Farrugia.
823 vs. Plaintiff in Error.
Philadelphia & Reading Railway Co.

Mr. George Demming, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Washington Dredging & Improvement Co.,
116 vs. Plaintiff in Error,
The State of Washington et al.

On motion of Mr. Harris Taylor, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Tuesday, February 24th next, after the cases already assigned for that day.

795. The Oceanic Steam Navigation Co., etc., vs. W. J. Mellor et al.

On motion of Mr. A. Gordon Murray, leave is hereby granted him to file a brief herein as amicus curiae.

795. The Oceanic Steam Navigation Co., etc., vs. W. J. Mellor et al.

Mr. Thomas Dunlop, in behalf of Mr. George Whitefield Bell, Jr., of counsel for Mellor et al., submitted to the consideration of the Court a motion for a writ of certiorari to bring up the entire record and cause.

820 Jehiel Rosen, Petitioner. vs. William Williams, Commissioner of Immigration

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William S. Bennet in support of the same, and Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace in opposition thereto.

Monday, January 5th, 1914 continued

	The United States of America. vs. Petitioner. Lexington Mill & Elevator Co.	On motion of Mr. Henry F. Blair in behalf of Mr. R. S. Rounds,

leave is hereby granted Mr. R. S. Rounds to file a brief in this cause as amicus curiae.

846	Town of Aurora. vs. Petitioner. Martha L. Gates.	The petitions for writs of certiorari herein were submitted to the consideration of the Court, by Mr. William A. Bryans, in support of the same
847	Town of Aurora. vs. Petitioner. Robert P. Wilder	and Mr. E. P. Costigan in opposition thereto.

798	The Oceanic Steam Navigation Co., etc., vs. W. J. Miller et al.	On motion of Mr. A. B. Duvall, leave is hereby granted Mr. Howard S. Harrington to file a

brief herein as amicus curiae.

791	Providence Washington Insurance Co., vs. Petitioner. Harvey Granger et al.	The petition for a writ of certiorari herein was submitted to the consideration of the Court

on printed arguments by Mr. Howard S. Har-

Nelson Zabriskie in opposition thereto.

Charles Coulson, alias Charles Carlson, Plaintiff in Error, vs. The People of the State of New York. 175

Mr. Frederick S. Tyler, on behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Missouri, Kansas & Texas Railway Co., et al., Plaintiffs in Error, vs. Ivolue B. West. 176

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. Thomas D. O'Brien and Mr. Benjamin Martin, Jr., in support of the same, and Mr. Joseph M. Bryson and Mr. C. L. Jackson in opposition thereto.

Star Chronicle Publishing Co., Plaintiff in Error, vs. The United Press Association. 177

The motion to dismiss or affirm or for damages in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Campbell Cummings in support of the same, and Mr. Shepard Barclay, in opposition thereto.

The petition for a writ of certiorari herein

by Mr. Shepard Barclay in support of the motion.

Thomas C. Perkins, Francis R. Cooley, and Samuel E. Elmore,
vs. Plaintiffs in Error.
Archer P. Coffin, Henry W. Irving and The Connecticut River Co.

In Error to the Supreme Court of Errors of the State of Connecticut.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed without costs to either party.

Per Mr. Chief Justice White

W. A. Gaines & Co.,
vs. Appellant.
The Turner-Looker Co.

Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that the

Monday. January 5th. 1914. continued

with costs.

Per Mr. Chief Justice White.

The United States of America. Petitioner.
vs.
Lexington Mill & Elevator Co.

This cause was argued by Mr. Attorney General McReynolds, of counsel for the petitioner and Mr. Edward P. Smith and Mr. Bruce S. Elliott, of counsel for the respondent.

345.

Proclamation being made, the Court is adjourned

Tuesday, January 6th, 1914

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. F. D. Brylawski, it is ordered that Israel A. Perkins, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

158. The Denver & Rio Grande Railroad Co., Appellant, vs. The Arizona & Colorado Railroad Co. of New Mexico

On motion of Mr. T. B. Catron, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the

Great Northern Railway Company.
473 vs. Plaintiff in Error.
Gertrude O'Connor.

This cause was submitted to the consideration of the Court pursuant to the seventeenth rule on the record and printed arguments by Mr. E. C. Lindley, of counsel for the plaintiff in error, and by Mr. C. D. O'Brien, of counsel for the defendant in error.

J. N. Cain.
797 vs. Plaintiff in Error.
Commercial Publishing Co.

This cause was submitted to the consideration of the Court pursuant to the twentieth rule, on the record and printed arguments by Mr. Marcellus Green, of counsel for the plaintiff in error, and Mr. Lovick P. Miles, of counsel for the defendant in error.

Robert Russell.
415. vs. Plaintiff in Error.
Charles E. Sebastian.

On motion of Mr. Garnett W. McEnerney, leave is hereby granted Mr. Charles S. Wheeler and Mr. John F. Bowie to file a brief herein as amici curiae.

Tuesday, January 6th, 1914. continued

Robert Russell,
115. vs. Plaintiff in Error.
Charles E. Sebastian

The argument of this cause was commenced by Mr. Garrett W. McEnerney, of counsel for the plaintiff in error; continued by Mr. Ray E. Nimms and Mr. Albert Lee Stephens, of counsel for the defendant in error, and concluded by Mr. Oscar A. Trippet, of counsel for the plaintiff in error. Leave was granted counsel for the defendant in error to file an additional brief within four days.

N. Clay Pierce,
64 & 65. vs. Plaintiff in Error.
The United States
and
Other Foreign-Built Yacht
Tax cases, Nos. 66, 67, 73,
74, 623, 624, 625, 626, 627,
628, 629, 630, 631 and 632.

The argument of these cases was commenced by Mr. William D. Guthrie, of counsel for the yacht owners.

Proclamation being made, the Court is ad-

Wednesday, January 7th, 1914

Pursuant to adjournment, the Court met to-day at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes Associate
Willis Van Devanter Justices
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. R. C. Brickell, it is ordered that John R. Tyson, Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Sutherland, it is ordered that J. E. Booth, Esquire, of Provo, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Wednesday, January 7th, 1914, continued.

777 Julian Munsuri, Appellant, vs. C. O. Lord, Trustee for the creditors of Sucesores de Jose Hernaiz & Co. — On writ of certiorari to the District Court of the United States for Porto Rico

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of certiorari in this cause has been filed. Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that the writ of certiorari in this cause be, and the same is hereby, dismissed without costs to either party.

Per Mr. Chief Justice White

750 The United States, vs. The Midwest Oil Co. et al. — On motion of Mr. Evans Browne, leave is hereby granted him to file a brief herein as amicus curiae.

795 The Oceanic Steam Navigation Co., Limited, vs. William J. Mellor and Harry Anderson. — On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit to bring up the entire record

in support of the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

The United States of America, Plaintiff in Error. vs. Paul Scally et al. 535.

It is ordered by the Court that the further consideration of the petition for a writ of certiorari in this cause be postponed to the hearing of the cause on the merits.

Per Mr. Chief Justice White.

The United States vs. Harriet Goclet 631/632

Mr. William D. Guthrie, suggested the death of Harriet Goclet, and moved the Court to make Robert Walton Goclet, as sole executor under the last will and testament of the said Harriet Goclet, deceased, a party in these cases. Whereupon, It is now here ordered by the Court that the said Robert Walton Goclet, as sole Executor of the last will and testament of Harriet Goclet, deceased, be, and he is hereby, made a party in these cases.

Wednesday, January 7th, 1914, continued

H. Clay Pierce.
vs. Plaintiff in Error.
The United States
and
61 & 63 Other Foreign Built Yacht Tax Cases. Nos. 66, 67, 73, 74, 623, 624, 625, 626, 627, 628, 629, 630, 631, and 632.

The argument of these cases was continued by Mr. William D. Guthrie and Mr. C. Andrade, Jr., of counsel for the yacht owners, and by Mr. Assistant Attorney General Adkins of counsel for The United States, and concluded by Mr. William D. Guthrie, of counsel for the yacht owners.

The Ohio River & Western Railway Co.,
642 vs. Appellant,
Robert M. Dilley et al., as The Tax Commission of Ohio, et al.
The Marietta, Columbus and Cleveland Railroad Co.,
643 vs. Appellant.
David S. Creamer, Treasurer of the State of Ohio, et al.

Appellees.

The argument of these cases was commenced by Mr. Robert J. King, of counsel for the appellants; continued by Mr. Frank Davis, Jr., and Mr. Clarence D. Laylin, of counsel for the appellees, and concluded by Mr. T. A. Durban, of counsel for the appellants.

Samuel Gompers et al.,
Plaintiffs in Error
and Appellants,
vs.
The United States.

The argument of this cause was commenced by Mr. Alton B. Parker, of counsel for the plaintiffs in error and appellants.

Proclamation being made, the Court is ad-

Thursday, January 8th, 1914.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes Associate
Willis Van Devanter Justices.
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Charles C. Carlin, it is ordered that Gertrude K. Keegan, of Binghamton State of New York, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.

Samuel Gompers et al.,
(Plaintiffs in Error,
and Appellants,
v.
The United States.

The argument of this cause was continued by Mr. Alton B. Parker and Mr. Jackson H. Ralston, of counsel for plaintiffs in error and appellants, and by Mr.

640

of counsel for defendant in error and appellee, and concluded by Mr. Alton B. Parker, of counsel for the plaintiffs in error and appellants.

710 The United States, Plaintiff in Error, vs. Hardaway Young

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Solicitor General Davis of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

728 The United States, Plaintiff in Error, vs. Thomas E. Brents

729 The United States, Plaintiff in Error, vs. Everett E. Van Wert.

These cases were submitted to the consideration of the Court on the records and printed argument by Mr. Solicitor General Davis of counsel for the plaintiff in error. No counsel appeared for the defendants in error

727 The United States, Plaintiff in Error, vs. Willis N. Birdsall

The argument of this case was commenced by Mr. Charles W. Mullan of counsel for the defendant in error.

The Court is engaged

Friday, January 9th, 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in their behalf by Mr. Frederic D. McKenney, it is ordered that Clifford L. Newman and Frederick W. Van Bearcom, Esquires, of Paterson, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in their behalf by Mr. Marshall Reynolds, it is ordered that Frederick J. Lobell, Esquire, of Chicago, State of Illinois, and Frank G. Curtis, Esquire, of Jamestown, State of New York, be admitted to practice as attor-

they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter F. Rogers, it is ordered that Ralph C. Powell, Esquire, of Pittsburgh State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

727. The United States, Plaintiff in Error, vs. Willis N. Birdsall

The argument of this cause was concluded by Mr. Charles W. Mullan of counsel for the defendant in error, and the cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Solicitor General Davis of counsel for the plaintiff in error.

760 Robert C. Bacon et al., Public Service Commission of Vermont, Appellants, vs. Rutland Railroad Co.

This cause was argued by Mr. Frederic D. McKenney, of counsel for the appellants, and Mr. E. S. Lawrence, of counsel for the appellee

Friday. January 8th. 1915. continued

The United States,
vs.
The Midwest Oil Co. et al

The argument of this cause was commenced by Mr. Assistant Attorney General Knaebel, of counsel for The United States, and continued by Mr. Jack F. Vaile, of counsel for The Midwest Oil Company et al

Proclamation being made, the Court is ad-

Monday, January 12th 1914

Pursuant to adjournment, the Court met to day, at the Capitol.

Present:

The Honorable Edward D White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Joseph J. Russell, it is ordered that James F. Green, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that E. G. Meriwether, Esquire, of Alton State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

Monday, January 12th, 1914, continued

behalf by Mr. Thomas Sterling, it is ordered that William G. Porter, Esquire, of Aberdeen State of South Dakota be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Belle J. Barnes, L. N. Manning and Epes Randolph,

vs. Appellants,

J. L. B. Alexander and Mary E. Street, Executrix of Webster Street, deceased.

Appeal from the Supreme Court of the Territory of Arizona.

No. 167

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of Arizona. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona

Per Mr. Justice Holmes.

Star Chronicle Publishing Co.,
Plaintiff in Error.
vs.
United Press Association

In Error to the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

356.

Leon Cardenas Martinez,
Plaintiff in Error.
vs.
The State of Texas et al.

In Error to the Court of Criminal Appeals of the State of Texas

This cause came on to be heard on the transcript of the record from the Court of Criminal Appeals of the State of Texas, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

Grand Trunk Western Railway Co.,
1125. vs. Plaintiff in Error.
George Lindsay

It is ordered by the Court that this cause be placed on the summary docket.

per Mr. Chief Justice White.

Charles Carlesi alias Charles Carlese,
679. vs. Plaintiff in Error.
The People of the State of New York.

It is ordered by the Court that this cause be placed on the summary docket.

per Mr. Chief Justice White.

Anthony Farruggia.
823. vs. Plaintiff in Error.
Philadelphia & Reading Railway Co.

It is ordered by the Court that this cause be placed on the summary docket.

per Mr. Chief Justice White.

Missouri, Kansas & Texas Railway Co., et al.,
696. vs. Plaintiffs in Error.
Ivolue B. West.

It is ordered by the Court that this cause be placed on the summary docket.

per Mr. Chief Justice White.

	The United States et al.	
829	vs. Appellants,	
	Louisiana & Pacific Rail	
	way Co. et al.	
	Atchison, Topeka & Santa	
	Fe Railway Co., et al.	
830	vs Appellants.	
	Louisiana & Pacific Rail.	
	way Co. et al.	
	The United States et al,	
831	vs. Appellants.	
	Woodworth & Louisiana	
	Central Railway Co., et al.	
	Atchison, Topeka & Santa	
	Fe Railway Co., et al.	
832	vs Appellants.	
	Woodworth & Louisiana	
	Central Railway Co., et al.	
	The United States et al.	
833	vs. Appellants,	
	Mansfield Railway & Trans.	
	portation Co., et al.	
	The Atchison Topeka & Santa	
	Fe Railway Co., et al.	
834	vs Appellants.	
	Mansfield Railway & Trans.	
	portation Co. et al.	
	The United States et al.	
835	vs. Appellants.	
	Vicksburg, Fisher & Western	

On consideration of the motion to advance these cases, It is now here ordered by the Court that the said motion be, and the same is hereby, granted and the cases as signed for argument on Tuesday, February 24th next, after the cases heretofore assigned for that day.

per
Mr. Chief Justice White

536 Atchison Topeka & Santa Fe Railway Co., et al. vs. Victoria, Fisher & Western Railroad Co., et al. Appellants.

537 The United States et al. vs. Butler County Railroad Co. Appellants.

776 Star Chronicle Publishing Co. vs. United Press Association Plaintiff in Error.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

791 Providence Washington Insurance Co. vs. Harvey Granger and Charles E. Lewis. Petitioner.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Cir-

upon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

546 Jekiel Rosen, Petitioner vs. William Williams, Commissioner of Immigration

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

546 The Town of Aurora, Petitioner vs. Martha L. Gates.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and

as well in support of as against the same. It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

847 The Town of Aurora. vs. Robert P. Wilder. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

177 George E. Bowling et al., vs. The United States of America. Appellants. On motion of Mr. Solicitor General Davis, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

529	Union Line Co., Plaintiff in Error, vs. The Chicago & Northwestern Railway Co. et al.	The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. E. Torrey in support of the same, and Mr. George Sines and Mr. Willet M. Spooner in opposition thereto.
840.	The Steamship "George W. Elder" &c., et al., Claimants, Petitioners, vs. The Port of Portland	The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Arthur A. Birney in support of the same.
798.	The Oceanic Steam Navigation Co., Limited, &c., vs. W. J. Mellor et al.	On motion of Mr. Richard V. Whitely, leave is hereby granted him to file a brief herein as amicus curiae on behalf of Louise Robins, Administratrix, et al.

114	F. O. Norris et al., Trustees, &c., vs. J. E. Johnson et al. Appellants,	The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Henry T. King in support of the same, and Mr. Thomas M. Kennerly in opposition thereto.
645	The Minneapolis & St. Louis Railroad Co., vs. O. B. Burks. Plaintiff in Error,	The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. N. M. Thygeson in support of the same, and Mr. W. H. Bremner in opposition thereto
750	The United States, vs. The Midwest Oil Co. et al.	The argument of this cause was continued by Mr Joel F. Vaile, of counsel for The Midwest Oil Co., et al., and concluded by Mr. Solicitor General Davis, of counsel for The United States.

458. The Singer Sewing Machine Co. vs. Robert C. Brickell. Attorney General, &c., et al. Appellant.

The argument of this cause was commenced by Mr John R. Tyson of counsel for the appellant; continued by Mr. Robert C. Brickell of counsel for the appellee, and concluded by Mr. Henry Astell Prince of counsel for the appellant.

595. The State of Alabama vs. Eudie Schmidt Plaintiff in Error.

This cause was argued by Mr. Robert C. Brickell of counsel for the plaintiff in error, and by Mr. J. K. Dixon of counsel for the defendant in error.

555. The United States of America, vs. Paul Scally et al. Plaintiff in Error.

The argument of this cause was commenced by Mr. Solicitor General Davis of counsel for the plaintiff in error, and continued by Mr. E. Hilton Jackson and Mr. D. C. O'Flaherty of counsel for the defendants in error.

Proclamation being made, the Court is ad-

Tuesday, January 15th, 1911

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. William N. Stafford, it is ordered that William N. Churchill, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Frederick M. Brown, it is ordered that John C. Prizer, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Howard S. Harrington, it is ordered that Oscar R. Houston, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Parker Kirlin, it is ordered that Norman B. Beecher, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry F. Woodard, it is ordered that Edward M. Colie, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Theodore M. Taft, Francis N. Kinnicutt and Henry C. Workman, Esquires of New York City, and Thomas Ewing, Esquire, of Yonkers, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

behalf by Mr. Walter B. Guy, it is ordered that A. C. von Struve, Esquire, of Plainview, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

322. The Missouri, Kansas & Texas Railway Co. of Texas, Plaintiff in Error, vs. L. C. Cade. / The Missouri, Kansas & Texas Railway Co. of Texas, Plaintiff in Error, vs. 604. S. O. Harris. — Mr. A. B. Browne, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance these cases.

355. The United States of America, Plaintiff in Error, vs. Sam Beatty et al. — The argument of this cause was continued by Mr. D. C. O'Flaherty, of counsel for the defendants in error, and concluded by Mr. Solicitor General Davis, of counsel for the plaintiff in error.

707. Sam B. Perrin, Plaintiff in Error, vs. The United States. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles A. Bartlett and Mr. Edgar R. Kiman, of counsel for the plaintiff in error.

of counsel for the defendant in error.

787. The United States. vs. Sam Sclevian et al. Plaintiff in Error. Thus cause was argued by Mr. Assistant Attorney General Wallace of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

4. Charles Maibaum. vs. The United States. Appellant. Thus cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Hamilton Lewis and Mr. Elijah N. Zoline of counsel for the appellant, and by the Solicitor General Davis of counsel for the appellee.

798. The Oceanic Steam Navigation Co., Limited, etc., vs. W. J. Mellor et al. On motion of Mr. Frederick W. Brown of counsel for Mellor et al., two hours are allowed each side in the argument of this case.

798. The Oceanic Steam Navigation Co. Limited. etc., vs W. J. Mellor et al. The argument of this cause was commenced by Mr. Charles C.

counsel for Oceanic Steam Navigation Co., Limited. etc., and continued by Mr. Norman B. Beecher of counsel for Oceanic Steam Navigation Co., Limited, and Mr. Frederick M. Brown, of counsel for Mellor et al.

Proclamation being made, the Court is ad-

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Clarence D. Clark, it is ordered that John B. Barnes, Jr., Esquire, of Casper, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Webster Ballinger, it is ordered that Charles A. Loomis, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

half by Mr. George A. Ramsey, it is ordered that Louis L. Ausart, John Boyle, Jr., Jesse M. Campbell and James N. Lightfoot, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

595 The State of Alabama, Plaintiff in Error, vs. Judie Schmidt. It is ordered by the Court that leave be, and the same is hereby granted to counsel for the plaintiff in error to file an additional brief in this cause.

798. The Oceanic Steam Navigation Co., Limited, etc., vs. William J. Mellor et al. The argument of this cause was continued by Mr. Frederick M. Brown and Mr. George Whitefield Betts, Jr., of counsel for Mellor et al., and concluded by Mr. J. Parker Kirlin, of counsel for The Oceanic Steam Navigation Company, Limited.

97 The Interstate Commerce Commission et al., Appellants vs. Southern Pacific Co., et al.

98. The Interstate Commerce Commission et al., Appellants vs. The argument of these cases was commenced by Mr. Blackburn Esterline, of counsel for The

and continued by Mr. F. H. Wood and Mr. Gardenier Lathrop, of counsel for the appellees, and by Mr. P. J. Farrell, of counsel for the Interstate Commerce Commission.

Proclamation being made, the Court is ad-

Thursday, January 15th 1914

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M Kenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.

J. M. Wright, Esquire, Marshal
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Albert B. Cummins, it is ordered that William N. McSurely, Esquire, of Chicago and Roy F. Hall Esquire, of Rockford, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Johnson, it is ordered that Frank N. Hall, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

97	The Interstate Commerce Commission et al., vs. Southern Pacific Co., et al.	Appellants.
98	The Interstate Commerce Commission et al. vs. The Atchison, Topeka & Santa Fe Railway Co., et al.	Appellants.

The argument of these cases was concluded by Mr. P. J. Farrell, of counsel for the Interstate Commerce Commission.

102	The Plymouth Coal Co., vs. The Commonwealth of Pennsylvania et al.	Plaintiff in Error.

The argument of this case was commenced by Mr. William C. Price, of counsel for the plaintiff in error; continued by Mr. John C. Bell, of counsel for the defendants in error, and concluded by Mr. John G. Johnson, of counsel for the plaintiff in error.

128	Joseph Pronovost, vs. The United States.	Plaintiff in Error.

This cause was submitted to the consideration of the present and the Court on a printed argument by Mr. Assistant Attorney General Wallace, of counsel for the defendant in error. No brief was filed for the plaintiff in error.

Thursday, January 15th. 1914, continued

Anna M. Burbank
et al., etc.,
vs. Plaintiffs in Error.
Mrs. Josephine Ernst, legal
tutrix, etc., et al.

1351

The argument of this cause was commenced by Mr. Charles S. Reis, of counsel for the plaintiffs in error, and continued by Mr. Henry P. Dart, of counsel for the defendants in error, and Mr. Sam Streetman, of counsel for the plaintiffs in error.

Proclamation being made, the Court is ad-

Friday, January 16th. 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M Kenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright. Esquire. Marshal.
James D. Maher. Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Blackburn Esterline, it is ordered that Charles A. Houts. Esquire, of St. Louis, State of Missouri, and W. Thomas Kemp, Esquire, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr Henry M. Goldfogle it is ordered that Sigmund Solomon, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Friday, January 16th. 1914. continued

167.	Louis Dejonge & Co., Appellant, vs. Brenkin & Kessler Co.	It is ordered by the Court that this cause be, and the same is hereby continued upon stipulation of counsel.
131.	Anna M. Burbank et al., etc., Plaintiffs in Error. vs. Josephine Ernst, Legal Tutrix, etc., et al	The argument of this cause was concluded by Mr. Sam Streetman, of counsel for the plaintiffs in error.
154	Woodward Cotton Co., Appellant, vs. The City of Woodward et al.	This cause was argued by Mr. Charles A. Loomis, of counsel for the appellee, and submitted on the record and a printed argument by Mr. John Devereux, of counsel for the appellant.
156	Chicago, Rock Island & Pacific Railway Co., Plaintiff in Error. vs. Jeleke Cramer.	This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. M. L. Bell, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

159 D. E. Foote & Co. (Inc.) et al. vs. Plaintiffs in Error, Charles H. Stanley Comptroller

The argument of this cause was commenced by Mr. W. Thomas Kemp, of counsel for the plaintiffs in error; continued by Mr. Edgar Allan Poe, of counsel for the defendant in error, and concluded by Mr. George Whitelock, of counsel for the plaintiffs in error.

160 Manhattan Life Insurance Co., et al. vs. Plaintiffs in Error, David Cohen, Independent Executor, &c.

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section nine, rule twenty-six.

161 The Chicago, Milwaukee & St. Paul Railway Co., vs. Plaintiff in Error, J. F. Pole.

This cause was argued by Mr. William G. Porter, of counsel for the plaintiff in error.

No counsel appeared for the defendant in error.

162 Carl Eberle et al., vs. Plaintiffs in Error, People of the State of Michigan

The argument of this cause was commenced by Mr. Richard Price, of counsel for the plain-

tiffs in error; continued by Mr. Samuel Adams Lewis, Attorney General of the State of Michigan, and concluded by Mr. Price.

Monday, January 19th, 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices

J. M. Wright, Esquire, Marshal
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that Charles A. Lindbergh, Esquire, of Little Falls, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas A. Banning, it is ordered that Samuel Walker Banning, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

behalf by Mr. Alexander Akerman, it is ordered that Stannix G. Mayfield, Esquire, of Denmark; Charles Carroll Simms, Esquire, of Barnwell; Thomas Jefferson Kirkland, Esquire, of Camden, and Eugene D. Blakeney, Esquire, of Kershaw, State of South Carolina, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. E. Doremus, it is ordered that David E. Greenstine, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Robert E. Waterman, Esquire, of Ogdensburg, State of New York, and Ralph N. Jernegan, Esquire, of Mishawaka, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

100 Chesapeake & Ohio Railway Co., Plaintiff in Error, vs. L. B. Cockrell as Administrator of the estate of Celia A. Bauserman deceased

In Error to the Court of Appeals of the State of Kentucky

script of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice Van Devanter.

38 Joseph Patsone. vs. Commonwealth of Pennsylvania. Plaintiff in Error. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Dissenting:
Mr. Chief Justice White

	Robert C. Bacon, William R. Warner, Park N. Pollard, Public Service Commission of the State of Vermont,	Appeal from the District Court of the United States for the
760.	vs. Appellants,	District of Ver
	Rutland Railroad Company.	mont.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Vermont, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

	J. W. Cain,	In Error to the District
797.	vs. Plaintiff in Error,	Court of the United
	Commercial Publishing Co.	States for the Southern
		District of Mississippi

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

Charles Maibaum.
4. vs. Appellant,
The United States.

Appeal from the District Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice White.

F. O. Norris, J. J. Whaley,
and L. K. McFarlane,
Trustees of the Estate of
Vineyard Walker & Co.,
119 vs. Appellants,
J. E. Johnson et al.

Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and on motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Fred W. Lake and
N. N. Snow,
180 vs. Plaintiffs in Error.
Mary A. Bonynge and
W. A. Bonynge.

In Error to the
Supreme Court of
the State of Cali-
fornia.

This cause came on to be heard on the tran-
script of the record from the Supreme Court of
the State of California, and on motion to dis-
miss or affirm which was argued by counsel.
On consideration whereof, It is now here or-
dered and adjudged by this Court that the
writ of error in this cause be, and the same is
hereby, dismissed for the want of jurisdiction
per Mr. Chief Justice White.

Fred W. Lake, J. B. Treadwell and Charles C. Boynton,
181 vs. Plaintiffs in Error.
Superior Court of the State of California in and for the County of Kern.

In Error to the
Supreme Court
of the State of
California

This cause came on to be heard on the tran-
script of the record from the Supreme Court
of the State of California, and on motion to dis-
miss or affirm which was argued by counsel.
On consideration whereof, It is now here ordered
and adjudged by this Court that the writ of

dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

522 The Missouri, Kansas & Texas Railway Co. of Texas, Plaintiff in Error, vs. L. C. Cade.

614 The Missouri, Kansas & Texas Railway Co. of Texas, Plaintiff in Error, vs. S. O. Harris

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on Tuesday, February 3d next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

529 Union Lime Company, Plaintiff in Error, vs. The Chicago & Northwestern Railway Co. et al.

It is ordered by the Court that this cause be placed on the summary docket.

Per Mr. Chief Justice White

615 The Minneapolis & St. Louis Railroad Co., Plaintiff in Error, vs. O. S. Burks

It is ordered by the Court that this cause be placed on the summary docket.

Per Mr. Chief Justice White

	The Steamship George W. Elder; J. N. Peterson and C. F. Doe, Claimants, Petitioners, vs. The Port of Portland	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

	The United States,	It is ordered by the Court that these cases be, and they are hereby, restored to the docket for re argument, and assigned for Tuesday, February 24th next, after the cases heretofore assigned for that day.
727	vs. Plaintiff in Error,	
	Willis N. Birdsall	
	The United States,	
728	vs. Plaintiff in Error,	
	Thomas E. Brents	
	The United States.	
729	vs. Plaintiff in Error,	
	Everett E. Van Wart.	

Per Mr. Chief Justice White

Order.

It is now here ordered by the Court that the

be, and the same are hereby, assigned for argument on Tuesday, February 24th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

254 New York Life Insurance Co., Plaintiff in Error, vs. Mary E. Head

255 New York Life Insurance Co., Plaintiff in Error, vs. Richard G. Head, Jr., etc.

The motions to dismiss in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr. W. P. Borland, Mr. James S. Botsford and Mr. James A. Reed in support of the same, and Mr. Cyrus Crane and Mr. James N. McIntosh in opposition thereto.

519 John S. Talbott, Petitioner, vs. The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Joseph U. Sweeney in support of the same, and Mr. Solicitor General Davis in opposition thereto.

470 St. Louis Southwestern Railway Co., Plaintiff in Error, vs. The State of Arkansas ex rel. Asa L. Norwood,

Mr. Edward A. Haid, of counsel for the plaintiff in error, submitted to the consideration of the Court

this cause.

American National Bank of Macon, Georgia, et al.. vs. S. H. Still et al., etc. — Petitioners.

560

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George S. Jones, Mr. W. H. Townsend, Mr. Julian Mitchell, Mr. William H. Fleming and Mr. Orville A. Park in support of the same, and Mr. Alexander Akerman and Mr. S. H. Mayfield in opposition thereto.

Le Roy Fibre Co., vs. Chicago, Milwaukee & St. Paul Railway Co.

175

This cause was submitted to the consideration of the Court on a certificate and printed arguments by Mr. John T. Fitzpatrick of counsel for the Le Roy Fibre Company, and by Mr. N. H. Field, of counsel for Chicago, Milwaukee, & St. Paul Railway Company.

Chicago, Milwaukee & St. Paul Railway Co., vs. The State of Iowa. — Plaintiff in Error.

176

On motion of Mr. W. R. Green, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed.

164 Carl Eberle et al., Plaintiffs in Error. vs. The People of the State of Michigan

The argument of this cause was continued by Mr. Richard Price, of counsel for the plaintiffs in error, and Mr. Grant Fellows, of counsel for the defendants in error, and concluded by Mr. Richard Price, of counsel for the plaintiffs in error.

170 J. C. Bacon, Plaintiff in Error. vs. The State of Louisiana

This cause was argued by Mr. C. D. O'Brien, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. R. G. Pleasant, of counsel for the defendant in error.

171 Frank N. Thomas, Petitioner. vs. Conrad N. Matthiessen.

This cause was argued by Mr. Alfred Adams Wheat, of counsel for the petitioner, and Mr. Arthur C. Rounds, of counsel for the respondent.

174 The District of Columbia, Plaintiff in Error. vs. Philadelphia, Baltimore & Washington Railroad Co.

This cause was argued by Mr. Francis H. Stephens, of coun-
sel for the plain-

of counsel for the defendant in error.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Francis H. Stephens and Mr. C. N. Sykes, in support of the same.

767 Joseph Hull et al., Appellants, vs. Arthur C. Burr et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James F. Glen and Mr. E. R. Gunby, in support of the same, and Mr. H. Bisbee and George C. Bedell in opposition thereto.

175 John Miller, Appellant, vs. The United States. The argument of this cause was commenced by Mr. L. T. Michener, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Tuesday, January 20th, 1914.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk

Proclamation being made, the Court is opened

Truman A. Tillotson,		In Error to the
183 vs.	Plaintiff in Error.	Supreme Court of
The State of Kansas.		the State of Kansas

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

187. Adams Express Co., Plaintiff in Error. vs. William A. Rudolph, to the use of Leon Weiner et al. It is ordered by the Court that this cause be, and the same is hereby, passed for settlement.

178. John Miller, Appellant, vs. The United States. The argument of this cause was continued by Mr. L. T. Michener, of counsel for the appellant, and Mr. Assistant Attorney General Thompson, of counsel for the appellee, and concluded by Mr. L. T. Michener, of counsel for the appellant.

173. Jacob Weinman et al., Plaintiffs in Error. vs. Richard de Palma et al. This cause was argued by Mr. Neill B. Field, of counsel for the plaintiffs in error, and Mr. F. E. Wood, of counsel for the defendants in error.

180. The Texas & Pacific Railway Co., Plaintiff in Error. vs. American Tie & Timber Co. Ltd. The argument of this cause was commenced by Mr. Hiram Glass, of counsel for the plaintiff in error.

Wednesday, January 21st. 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes -- Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Andrew J. Montague, it is ordered that Norvell L. Henley, Esquire, of Williamsburg, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Grace, it is ordered that John B. Golden, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. William D. Jaynes, it is ordered that Emmett Patton, Esquire, of Hagerman, State of New Mexico, and William Marvin Campion, Esquire, of Nashville, State of Tennessee be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Knute Nelson, it is ordered that W. R. Duxbury, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William C. Prentiss, it is ordered that G. N. Brevillier, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

193. James P. Allen, Plaintiff in Error, vs. N. N. Oliver — In Error to the Supreme Court of the State of Oklahoma.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance

and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

180 The Texas & Pacific Railway Co., Plaintiff in Error, vs. American Tie & Timber Co., Limited

The argument of this cause was continued by Mr. Hiram Glass, of counsel for the plaintiff in error, and Mr. R. W. Rogers, of counsel for the defendant in error, and concluded by Mr. Hiram Glass, of counsel for the plaintiff in error.

181 William A. Paine et al., Appellants, vs. Copper Belle Mining Co. of Arizona.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Walter Bennett, of counsel for the appellants. No counsel appeared for the appellee.

182 Grant Brothers Construction Co., et al., Plaintiffs in Error, vs. The United States.

The argument of this cause was commenced by Mr. Isidore B. Dockweiler, of counsel for the plaintiffs in error, and continued by Mr. As-

Proclamation being made, the Court is adjourned to 12 o'clock noon.

Thursday, January 3rd, 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Francis V. S. Oliver, it is ordered that James Francis Mack, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. O. Evans, it is ordered that Cornelius Francis Kelley, Esquire, of Butte, State of Montana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

half by Mr. George Sutherland, it is ordered that Charles M. Morris, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elihu Root, it is ordered that A. S. Clearwater, Esquire, of Kingston, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph R. Edson, it is ordered that James Law Stewart, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Anthony Caminetti, it is ordered that Ernest B. D. Spagnoli, Esquire, of Jackson, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Diamond Coal & Coke Co., Appellant, vs. The United States. — On motion of Mr. Solicitor General Davis, of counsel

192

it ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 7, rule 16.

181 William A. Paine et al., Appellants, vs. Copper Belle Mining Co. of Arizona

On motion of Mr. James Francis Ryan, of counsel for the appellee, leave is hereby granted to file a brief for the appellee in this cause within ten days.

194 Edward A. Rochrig et al., Plaintiffs in Error, vs. Ford Smith

In Error to the Supreme Court of the State of North Dakota.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

197 Nock Construction Co., Plaintiffs in Error, vs. George W. Smith & Co., Inc.

In Error to the District Court of the United States for the District of Maryland.

in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

182. Grant Brothers Construction Co., et al., vs. The United States. Plaintiffs in Error. The argument of this cause was continued by Mr. Assistant Attorney General Wallace, of counsel for the defendant in error, and concluded by Mr. Isidore B. Dockweiler, of counsel for the plaintiffs in error.

184. Shaddeus Davids Co., vs. Cortlandt Davids et al. Petitioner. The argument of this cause was commenced by Mr. W. P. Preble, of counsel for the petitioner; continued by Mr. Emerson R. Newell, of counsel for the respondents, and concluded by Mr. W. P. Preble, of counsel for the petitioner.

185. El Paso Brick Co., vs. John N. McKnight. Appellant. The argument of this cause was commenced by Mr. Francis W. Clements, of

counsel for the appellant.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Friday, January 23d. 1914.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Edwin J. Baumberger, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. W. E. Chilton, it is ordered that James M. Mason, Jr., Esquire, of Charles Town, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isidore B. Dockweiler, it is ordered that Robert W. Kemp, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gilbert E. Roe, it is ordered that Walter D. Corrigan, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Pennsylvania Railroad Company,
vs. Appellant,
Interstate Commerce Commission et al.
198

On motion of Mr. Frederic D. McKenney, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 36.

James Hamilton Lewis, et al.,
vs. Plaintiffs in Error,
Edith Kuiz
202

It is ordered by the Court that this cause be, and the same is hereby continued per stipulation of counsel.

Friday, January 23d, 1914, continued

185 El Paso Brick Co., Appellant, vs. John N. McKnight. The argument of this cause was continued by Mr. Francis W. Clements, of counsel for the appellant, and Mr. Eugene L. Ives, of counsel for the appellee, and concluded by Mr. Francis W. Clements, of counsel for the appellant.

186 The Texas & Pacific Railway Company, Appellant, vs. The Railroad Commission of Louisiana et al. This cause was argued by Mr Wylie M. Barrow, of counsel for the appellee, and submitted on the record and a printed argument by Mr. Thomas J. Freeman, of counsel for the appellant.

189 William S. Tevis, et al., Plaintiffs in Error, vs. Jeppe Ryan et al. The argument of this cause was commenced by Mr. Edward N. Thomas, of counsel for the plaintiffs in error.

Proclamation being made, the Court is ad-

Monday, January 26th, 1914

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General McReynolds, it is ordered that Rufus S. Day, Esquire, of Canton, and James C. Bachman, Esquire, of Cleveland, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. McMillen, it is ordered that George S. Klock, Esquire, of Albuquerque, State of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Joseph O'Connor, it is ordered that Jeremiah J. O'Sullivan, Esquire, of Lowell, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William P. Fennell, it is ordered that Samuel Dillon Hirshl, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gilbert E. Roe, it is ordered that Winfield W. Gilman, Esquire, of Madison, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that Charles T. Butler, Esquire, of Beaumont, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph F. King, it is ordered

State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

590 The Atchison, Topeka & Santa Fe Railway Co., Southern Pacific Co., and San Pedro, Los Angeles & Salt Lake Railroad Co., vs. Appellants, The United States, The Interstate Commerce Commission and Arlington Heights Fruit Exchange. Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here, ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Lamar.

82. Chapman & Dewey Lumber Co. and Chapman & Dewey Land Co., vs. Plaintiffs in Error. The Board of Directors St. Francis Levee District. In Error to the Supreme Court of the State of Arkansas.

transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court,

per Mr. Justice Van Devanter.

Joseph A. Taney, Trustee of the Estate of the Miller Pure Rye Distilling Co., Appellant, vs. Penn National Bank of Reading. — Appeal from the United States Circuit Court of Appeals for the Third Circuit.

115.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the

Anna M. Burbank, wife of James M. Woodson, and James M. Woodson, Executors of the last will of J. Scott Burbank, and individually,

131 vs. Plaintiffs in Error.

Mrs. Josephine Ernst, Legal Tutrix of the minor, Mary Spring Burbank, et al.

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

The Chicago, Milwaukee & St. Paul Railway Co.,

161 vs. Plaintiff in Error,

J. F. Polt.

In Error to the Supreme Court of the State of South Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Dakota, and was argued by counsel. On consideration whereof,

Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Holmes.

395. The State of Alabama, Plaintiff in Error, vs. Sudie Schmidt. In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

710 The United States, Plaintiff in Error, vs. Hardaway Young. In Error to the District Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District

consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to overrule the demurrer.

Per Mr. Justice McKenna

Woodward Cotton Co., Appellant, vs. The City of Woodward, J. N. Hopkins, Mayor of said City, et al. Appeal from the Circuit Court of the United States for the Western District of Oklahoma

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Oklahoma.

Per Mr. Chief Justice White

174. District of Columbia, Plaintiff in Error, vs. Philadelphia, Baltimore & Washington Railroad Co. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

174. District of Columbia, Plaintiff in Error, vs. Philadelphia, Baltimore & Washington Railroad Co. On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1170 St Louis Southwestern Railway Co., Plaintiff in Error, vs. The State of Arkansas ex rel. Hal L. Norwood, On consideration of the motion to advance this cause, It is now here ordered by the Court

be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, February 24th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

234. New York Life Insurance Co., Plaintiff in Error, vs. Mary E. Head

235. New York Life Insurance Co., Plaintiff in Error, vs. Richard G. Head, by his next friend, W. T. Deacheaux

It is ordered by the Court that the further consideration of the motions to dismiss in these cases be, and the same is hereby, postponed to the hearing of the cases on the merits.

Per Mr. Chief Justice White

767. Joseph Hull et al., Appellants, vs. Arthur E. Burr et al.

It is ordered by the Court that this cause be placed on the summary docket, and assigned for hearing on Tuesday, February 24th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

819 John S. Talbott, Petitioner. vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

820 American National Bank of Macon, Georgia, et al., Petitioners, vs. S. N. Still, L. C. Still, and N. D. Still, Jr., individually and as co-partners under the firm-name of N. D. Still's Sons, alleged bankrupts. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

130 Rafael Martinez Nadal, Plaintiff in Error, vs. David W. May. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument, and assigned for Monday, April 6th next.

Per Mr. Chief Justice White.

The Chief Justice announced that the Court will take a recess from Monday, February 2, to Tuesday, February 24, next.

114 O. Stow et al., Plaintiffs in Error, vs. The United States. The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. Solicitor General Davis in support of the same.

116 Ambrosio Arapas et al., Plaintiffs in Error, vs. The United States. The motion to dismiss in this cause was submitted to the consideration of the Court on printed argument by Mr. Solicitor General Davis in support of the same, and by Mr. Theodore Martin in opposition thereto.

Monday, January 26th, 1914, continued

873	The United States vs. Appellant, First National Bank of Detroit, Minn.	Mr. Solicitor General Davis, of counsel for the appellant, submitted to the consideration of the Court a motion to advance these cases.
874	The United States vs. Appellant. The Nichols-Chisolm Lumber Co., et al.	
875	The United States vs. Appellant. Nichols Chisolm Lumber Co., et al.	

318	F. O. Norris et al., Trustees, etc., et al., vs. Petitioners J E Johnson et al.	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Thomas M. Kennerly in support of the same, and Mr. Henry F. King in opposition thereto.
414	Houston Oil Co. of Texas et al., vs. Petitioners, Caroline C. Middlesworth et al	The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles T. Butler and Mr. Thomas M. Kennerly in support of the same.

The Oceanic Steam Navigation Co., etc.,
vs.
W. J. Miller et al.
798

Mr. Frederic D. McKenney in behalf of Mr. Charles C. Burlingham, of counsel for the Oceanic Steam Navigation Co., submitted to the consideration of the Court a motion for leave to file an additional brief in this cause.

Southern Railway
Carolina Division, &c.,
Plaintiff in Error,
vs.
Hallie E. Bennett, Administratrix, &c.
796

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. C. Brandenburg, Mr. W. Boyd Evans and Mr. F. Walter Brandenburg in support of the same, and by Mr. B. L. Abney in opposition thereto.

S. W. Washington et al.,
Surviving Trustees,
Appellants,
vs.
Joseph F. Tierney et al.,
Surviving Executors, &c.
316

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Forrest W. Brown and Mr. R. T. Barton in support of the same, and by Mr. James M. Mason, Jr.

205 Republic Iron & Steel Co., Plaintiff in Error, vs. Howard Carlton. In Error to the District Court of the United States for the District of Maryland.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

206 Laura G. White, Appellant, vs. Island Transportation Co. This cause was submitted to the consideration of the Court on the record, and leave was granted counsel for the respective parties to file briefs within forty days.

189 William S. Tevis et al., Plaintiffs in Error, vs. Jeppe Ryan et al. The argument of this cause was continued by Mr. Eugene S. Tevis, of counsel for the defendants in error, and concluded by Mr. Edward H. Thomas, of counsel for the plaintiffs in error.

191	Melvin W. Mills, Appellant, vs. The Territory of New Mexico.	It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of rule 16.
192	J. E. Arnold et al., Plaintiffs in Error vs. Southern Railway Co.	This cause was argued by Mr. C. J. St. John, of counsel for the plaintiffs in error, and Mr. L. E. Jeffries, of counsel for the defendant in error.
199	Rosa Maria Calaf y Fugural et al., Appellants, vs. Federico Calaf y Rivera	This cause was argued by Mr. Manuel Rodriguez Serra, of counsel for the appellants, and Mr. Saul Fuller, of counsel for the appellee.

Proclamation being made, the Court is ad

Tuesday, January 25th 1916.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. C. S. Thomas, it is ordered that Walter C. Heckendorf, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Joseph O'Connor, it is ordered that William H. Fay, Esquire, of Peabody, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

behalf by Mr. John E Semmes, Jr., it is ordered that William A Price, Jr., Esquire, of Baltimore State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F Consaul, it is ordered that George Whitfield Jack, Esquire, of Shreveport, State of Louisiana be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. Hilton Jackson, it is ordered that John Garland Pollard and C. B. Garnett, Esquires, of Richmond, State of Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter A. DeCamp, it is ordered that P. Lincoln Mitchell, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

dered that Guy Walton Moore, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clarence D. Clark, it is ordered that Clark J. Tisdel, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. E. Townsend, it is ordered that Leslie B. Robertson, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

207. Silas A. Gilson, Appellant, vs. The United States. On motion of Mr. Wade H. Ellis, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 7, rule 26.

People of the State of Illinois suing by the Canal Commissioners, &c.,
209. vs. Plaintiffs in Error.
Pittsburgh, Fort Wayne & Chicago Railway Co., et al.

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

Alois B. Renehan, et al.
210 vs. Appellants,
Tina Haffner Reisch

On motion of Mr. Charles F. Consaul, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

Caldwell & Drake, a firm composed of George W. Caldwell and Lester Drake,
211 vs. Plaintiffs in Error.
John R. Jobe, as auditor of the State of Arkansas

In Error to the Supreme Court of the State of Arkansas.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered

error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

200 The Commonwealth of Pennsylvania, Appellant, vs. The York Silk Manufacturing Co., Bankrupt. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Jackson N. Ralston, of counsel for the appellant, and Mr. Henry C. Niles, of counsel for the appellee, and leave was granted counsel to file briefs on the question of jurisdiction within ten days.

201 The Texas & Pacific Railway Co., Plaintiff in Error, vs. John Jackson and Hallie Powell. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

Per Mr. Chief Justice White.

Andrieus A. Jones,
Receiver,
203 vs. Appellant,
St. Louis Land & Cattle Co.

This cause was argued by Mr. Andrieus A. Jones, of counsel for the appellant and submitted on a printed argument by Mr. Charles A. Spiess and Mr. S. W. Davis, Jr., of counsel for the appellee.

Vicenta Montoya et al.,
204 vs. Appellants,
Candido G. Gonzales et al.

This cause was argued by Mr. Alonzo B. McMillen, of counsel for the appellants, and by Mr. George S. Klock, of counsel for the appellees.

Proclamation being made, the Court is ad-

Wednesday, January 28th. 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. Benton Crisp, it is ordered that Theodore M. Crisp, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hoke Smith, it is ordered that James K. Hines, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Edward Duffy, it is ordered that Ralph Robinson, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Yerkes, it is ordered that Frederick W. Schmitz, Esquire, of Covington, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. W. Elder, it is ordered that Henry Bernstein and Frederick Gray Hudson, Jr., Esquires of Monroe, and J. B. Roberts, Esquire, of Colfax, State of Louisiana, and David A. Taylor, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

757. The United States, Plaintiff in Error, vs. Sam Pelican et al. On motion of Mr. Assistant Attorney General Wallace, of counsel for the plaintiff in error, leave is hereby granted to file additional memorandum in this cause.

Wednesday, January 28th, 1914, continued

218. George E. Priest et al., Appellants, vs. The Board of Trustees of the Town of Las Vegas. This cause was submitted to the consideration of the Court on the record, and leave was granted counsel for the respective parties to file briefs within two weeks.

219. Missouri, Kansas & Texas Railway Co., Appellant, vs. The United States. On motion of Mr. Evans Browne, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 7, rule 26.

220. C. J. Rixey, etc., Appellant, vs. Robert N. Cox, Sergeant, &c. It is ordered by the Court that this cause be, and the same is hereby, continued, per stipulation of counsel.

208. Samuel Lewis, Petitioner, vs. G. Oliver Trier, United States Immigration Inspector. This cause was argued by Mr Guy Walton Moore, of counsel for the petitioner, and Mr. Assistant Attorney General Wallace, of counsel for the respondent.

The Mitchell Stone Building Co., Appellant,
vs.
R. de V. Carroll, Trustee, &c.

The argument of this cause was commenced by Mr. P. Lincoln Mitchell, of counsel for the appellant; continued by Mr. Joseph B. Grayden, of counsel for the appellee, and concluded by Mr. Walter A. De Camp, of counsel for the appellant.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. P. Lincoln Mitchell and Mr. Walter A. De Camp in support of the same, and Mr. Lawrence Maxwell, in opposition thereto.

212

The Diamond Coal & Coke Co., Appellant,
vs.
The United States.

The argument of this cause was commenced by Mr. Cornelius T. Kelley, of counsel for the appellant

192

Proclamation being made, the Court is ad

Thursday, January 29th, 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna,
Oliver Wendell Holmes
William R. Day, Associate
Charles E. Hughes — Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert Watson, it is ordered that Henry J. Lueke, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

214. City of Blackwell, Plaintiff in Error, vs. City of Newkirk, et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Joseph W. Bailey, Mr. A. G. C. Birrer and Mr. Frank Dale, of counsel for the plaintiff in error, and Mr. J. F.

defendants in error.

William H. Garland,
226 vs. Plaintiff in Error.
The State of Washington.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. William H. Gorham, of counsel for the plaintiff in error, and leave was granted counsel for the defendant in error to file a brief within two weeks.

The South Covington & Cincinnati Street Railway Co.,
227 vs. Plaintiff in Error.
City of Covington et al.

On motion of Mr John W. Perkins, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

The Diamond Coal & Coke Co.,
192. vs. Appellant,
The United States.

The argument of this cause was continued by Mr. Cornelius T. Kelley, of counsel for the appellant, and Mr. Solicitor General Davis, of counsel for the appellee, and concluded by Mr. L. O. Evans, of counsel for the appellant.

Thursday, January 29th, 1914, continued

213 Sidney S. Schuyler et al. vs. Charles E. Littlefield, as Trustee, etc. Appellants,

This cause was argued by Mr. H. Benton Crisp, of counsel for the appellants, and Mr. Edwin D. Hays, of counsel for the appellee.

215 Atlantic Transport Co. of West Virginia. vs. Frank Imbrovek. Petitioner.

216 Atlantic Transport Co. of West Virginia. vs. State of Maryland, to the use of Mary Szczesek, widow, etc. Petitioner.

The argument of these cases was commenced by Mr. Edward Duffy, of counsel for the petitioner.

Proclamation being made, the Court is ad-

Friday, January 30th, 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day — Associate
Charles E. Hughes — Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. James M. Swift, it is ordered that Robert E. Barber, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Raker, it is ordered that James W. Keye, Esquire, of San Rafael, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. A. C. Hart, it is ordered that Guy L. Foote, Esquire, of Rutherford, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

215 Atlantic Transport Co., of West Virginia, Petitioner vs. Frank Imbrovek.

216 Atlantic Transport Co. of West Virginia, Petitioner, vs. State of Maryland, to the use of Mary Szczesek, widow, &c.

The argument of these cases was continued by Mr. Edward Duffy, of counsel for the petitioner, and Mr. W. N. Price, Jr., of counsel for the respondents, and concluded by Mr. John E. Semmes, of counsel for the respondents.

217 Anna Hawley, Plaintiff in Error, vs. Joseph W. Walker, Constable, etc.

This cause was argued by Mr. J. M. Sheets, of counsel for the plaintiff in error, and by Mr. C. D. Laylin and Mr. L. D. Brandeis, of counsel for the defendant in error.

218 Wadley Southern Railway Co., Plaintiff in Error, vs. The State of Georgia

This cause was argued by Mr. T. M. Cunningham, Jr., of coun-

Friday, January 30th. 1914, continued.

teff in error, and Mr. James K. Haines, of counsel for the defendant in error.

Susan J. Taylor, Administratrix, &c., Plaintiff in Error, vs. Sexton E. Taylor. 234.

This cause was argued by Mr. Frederic D. McKenney, of counsel for the plaintiff in error. No brief was filed for the defendant in error.

Proclamation being made, the Court is adjourned

Monday, February 2d, 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Oliver Wendell Holmes
William R. Day
Charles E. Hughes Associate
Willis Van Devanter Justices
Joseph R. Lamar
Mahlon Pitney.
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General McReynolds, it is ordered that Edward G. Hoffman, Esquire, of Fort Wayne, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that Louis G. Bissell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

ordered that Alfred Evan Reames, Esquire, of Medford, State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Francis Horton, it is ordered that Harry T. Kyle, Esquire, of McAlester, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick C. Bryan, it is ordered that Lee Warren James, Esquire, of Dayton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Jones, it is ordered that W. R. McGill, Esquire, of La Lande, State of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Watson E. Coleman, it is ordered that Fred S. Stitt, Esquire, of Washington, District of Columbia, and J. Henry Baker, Esquire,

led to practice as attorneys and counsellors of this Court, and they were sworn accordingly

North Carolina Railroad Co., Plaintiff in Error, vs. James A. Zachary, Administrator of Herbert N. Burgess. In Error to the Supreme Court of the State of North Carolina

1914.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Pitney.

Frances A. Miedreich, Plaintiff in Error, vs. Constanze Lauenstein. In Error to the Supreme Court of the State of Indiana

26

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by coun-

ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

Frank N. Thomas. vs. Conrad N. Matthiessen

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York, with directions to enter a judgment for the plaintiff on the agreed facts.

Per Mr. Justice Holmes.

Dissenting:
Mr. Chief Justice White.
(Mr. Justice Hughes took no part in the decision of this case)

Monday, February 3d, 1911, continued

	J. E. Arnott, R. W. Henderson and Matilda Henderson, his wife, et al.,	In Error to the Supreme Court of the State of Tennessee.
196	vs. Plaintiffs in Error	
	Southern Railway Co.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

	S. W. Washington and Gerard D. Moore, Surviving Trustees in Bankruptcy of J. Garland Hunt, Bankrupt,	Appeal from the United States Circuit Court of Appeals for the Fourth Circuit.
316	vs. Appellants,	
	J. J. Tearney and E. M. Tearney, Surviving Executors of Edward Tearney, deceased.	

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged

and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

214 City of Blackwell, Plaintiff in Error, vs. City of Newkirk, The Board of County Commissioners of Kay County, Oklahoma, and Benjamin F. Harrison, Secretary of State of the State of Oklahoma. In Error to the Supreme Court of the State of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

873 The United States, Appellant, vs. The First National Bank of Detroit, Minnesota.

874 The United States, Appellant, vs. The Nichols Chisolm Lumber

On consideration of the motion to advance this cause, It is now here ordered by the Court that said

and Hiram R. Lyon.
The United States.
875 vs. Appellant,
The Nichols Chisholm Lumber Co., The Minneapolis Trust Co., and Nancy C. Clark.

the same is hereby granted, and the cause assigned for argument on Monday, April 6th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

The Oceanic Steam Navigation Co., as owner of the Steamship "Titanic",
745 vs.
William J. Mellor and Harry Anderson.

On consideration of the motion for leave to file an additional brief herein on behalf of The Oceanic Steam Navigation Company,

It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White.

O. Itow and E. Fushimi,
714 vs. Plaintiffs in Error.
The United States.
Ambrosio Apapas, Cornelio Lubo, Francisco Lubo et al.,
746 vs. Plaintiffs in Error.
The United States.
Southern Railway Carolina Division, and Southern Railway Co.

It is ordered by the Court that these cases be placed on the summary docket, and assigned for argument on Tuesday, Feb.

Nellie E. Bennett, Administratrix of the estate of Luther W. Bennett, deceased	next after the cases heretofore assigned for that day.

per Mr. Chief Justice White.

F. O. Norris et al., Trustees, etc., et al., Petitioners, vs. J. E. Johnson et al.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

315.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

Houston Oil Co. of Texas et al., Petitioners, vs. Caroline C. Middlesworth, et al	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

314.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is

tition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

647 Southern Railway Co., Plaintiff in Error, vs. W. O. Gadd. The motion to affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John L. Stout in support of the same, and Mr. Carruthers Ewing in opposition thereto.

861 Equitable Surety Co., vs. The United States to the use of W. W. McMillan & Son. Mr. Wharton E. Lester, of counsel for The United States to the use of W. W. McMillan & Son, submitted to the consideration of the Court a motion to advance this cause and place the same on the summary docket.

126 Washington Dredging & Improvement Co., Plaintiff in Error, vs. The State of Washington et al. The motion to dismiss or this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Richard A. Ballinger, Mr. Alfred Battle, Mr. George B. Cole, Mr. E. C. Lindley, Mr. M. F. Tanner, Mr. James B. Metcalf, Mr. George E.

Mr. Mc Cormick S. Shuck, Mr. Louis Henry Legg and Mr. Frank P. Lewis in support of the motion.

E. I. Du Pont de Nemours Powder Co., Petitioner, vs. The Steamship "Charlton Hall"; etc. 790

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Howard S. Harrington in support of the same, and Mr. C. C. Burlingham in opposition thereto.

Thomas L. Nowell et al., Petitioners, vs. International Trust Co. et al. 881

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. George M. Nowell in support of the same, and leave was granted counsel for the respondents to file a brief in opposition thereto within ten days.

Ex parte: In the matter of W. L. Roe. Original. Petitioner.

The motion for leave to file a petition for a writ of mandamus herein was submitted to the consideration of the Court on printed arguments by Mr.

Monday, February 2d, 1914, continued.

F. H. Prendergast in opposition thereto

751 Charleston & Western Carolina Railway Co. vs. Plaintiff in Error
Lizzie Thompson.

The motion to dismiss in this case was submitted to the consideration of the Court on printed arguments by Mr. William H. Fleming in support of the same, and Mr. W. R. Miller and Mr. F. B. Grier in opposition thereto.

Proclamation being made, the Court is adjourned

Sunday, February 21th. 1911.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that C. Beverley Brown and Robert Linn, Esquires, of Charleston, State of West Virginia, and Philip D. Beall, Esquire, of Pensacola, State of Florida, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest Knaebel, it is ordered that Summers Burkhart, Esquire, of Albuquerque, State of New Mexico, and A. A. Wilder, Esquire, of Honolulu, Territory of Hawaii, be

sellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse D. Adkins, it is ordered that Charles M. Seymour, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Blood Smith, it is ordered that Leonard S. Ferry, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Fergusson, it is ordered that C. N. Aldridge, Esquire, of Tucumcari, State of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bynum E. Hinton, it is ordered that John T. Harris, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Kern, it is ordered that Charles Gilbert Hawley, Esquire, of Washington District of Columbia, and James S. Dodge, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas L. Sloan, it is ordered that Otto Robert Heiligman, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Thomas Ruffin, it is ordered that Clyde A. Douglass, Esquire, of Raleigh, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Frederick D. Tyler, it is ordered Norman Grey and T. Morse Archer, Esquires, of Camden, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this be-

that Charles A. Spirk, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that William R. Allen, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Patrick J. Hurley, it is ordered that Reford Bond, Esquire, of Chickasha, and Haskell Burlason Talley, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. B. F. Macfarland, it is ordered that Charles T. Russell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. N. Rector, it is ordered that David A. Gates, Esquire, of Little Rock, and F. E. Brown, Esquire, of Des Arc, State of

and counsellors of this Court, and they were sworn accordingly.

The Farmers & Mechanics Savings Bank of Minneapolis, Plaintiff in Error, vs. The State of Minnesota

In Error to the Supreme Court of the State of Minnesota

39

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Pitney

The Plymouth Coal Co., Plaintiff in Error, vs. The Commonwealth of Pennsylvania, David J. Davis, Inspector of Mines, etc.

In Error to the Supreme Court of the State of Pennsylvania

102

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by

here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney

Atlantic Coast Line Railroad Co., Plaintiff in Error, vs. City of Goldsboro, North Carolina. — In Error to the Supreme Court of the State of North Carolina.

112

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney

Jacob Weinman and Joseph Barnett, and Joan Grunsfeld and M. W. Flournoy, their sureties, Plaintiffs in Error, vs. Richard de Palma and Bernard Ruppe. — In Error to the Supreme Court of the Territory of New Mexico.

173

Tuesday, February 24th 1914, continued

script of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of New Mexico. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of New Mexico.

Per Mr. Justice Pitney.

Charles Wilson, alias Charles Willard, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the Northern District of Illinois

165

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Pitney.

Catherine Wilson, alias Zoe Willard,
169 vs. Plaintiff in Error,
The United States

In Error to the District Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Pitney.

The Ohio River & Western Railway Co.,
642. vs. Appellant,
Robert M. Dittey, Frank E. Munn and Christian Pabst, as The Tax Commission of Ohio, and The Tax Commission of Ohio.

Appeal from the District Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of

the same is hereby, affirmed with costs.

Per Mr. Justice Pitney.

(Mr. Justice Day took no part in the decision of this case)

The Marietta, Columbus & Cleveland Railroad Co., Appellant, vs. David S. Creamer, Treasurer of the State of Ohio, et al. Appeal from the District Court of the United States for the Southern District of Ohio.

(143)

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney.

(Mr. Justice Day took no part in the decision of this case.)

D. E. Foote & Co., Incorporated, et al., Plaintiffs in Error, vs. Charles H. Stanley, Comptroller of the State of Maryland. In Error to the Court of Appeals of the State of Maryland.

(139)

This cause came on to be heard on the transcript of the record from the Court of Appeals

by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Lamar.

475 Great Northern Railway Co., Plaintiff in Error, vs. Gertrude O'Connor. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Lamar.

136 Chicago, Rock Island & Pacific Railway Co., Plaintiff in Error, vs. Jolete Cramer. In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Lamar.

137 Edwin L. Gauthier, Plaintiff in Error, vs. Peter Morrison, N. L. Needham, M. A. Saunders and Minnie Saunders. In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and

that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Van Devanter

707. Sam B. Perrin, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the District of South Dakota.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of South Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Van Devanter.

128. Joseph Pronovost, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the District of Montana

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for

554 The United States of America, Plaintiff in Error, vs. Paul Beatty, Alma Jackson and Robert N. Jackson, her husband, and Lucy E. Barbee. In Error to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Van Devanter

555 The United States of America, Plaintiff in Error, vs. Paul Beatty, Alma Jackson and Robert N. Jackson, her husband, and Lucy E. Barbee. On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Malinda Thurston, Administratrix of the Estate of William Cameron, deceased, Appellant, vs. The United States and the Ute Indians. Appeal from the Court of Claims.

605.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Van Devanter.

The United States, Plaintiff in Error, vs. Sam Pelican and Tony Sonterre, alias Hex Sicomte. In Error to the District Court of the United States for the Eastern District of Washington.

787.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the order of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said

formity with the opinion of this Court.
Per Mr. Justice Hughes.

Chicago, Milwaukee & St. Paul Railway Co., Plaintiff in Error.
vs.
130 City of Minneapolis.

In Error to the Supreme Court of the State of Minnesota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.
Per Mr. Justice Hughes.

The Rubber Tire Wheel Co. and Consolidated Rubber Tire Co., Petitioners.
vs.
37 The Goodyear Tire & Rubber Co.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause,

tion granted by the Circuit Court; be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Ohio with directions to enter an order denying the application for injunction.

Per Mr. Justice Hughes.

Dissenting:
Mr. Justice Day.

William Seim and Gustav Reissig,

vs.

James D. Hurd, Consolidated Rubber Tire Co., and The Rubber Tire Wheel Co.

On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

141

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered by the Court that said certificate be, and the same is hereby, dismissed

Per Mr. Justice Hughes.

The Woodward Co., vs. James D. Hurd, Consolidated Rubber Tire Co., and The Rubber Tire Wheel Co.

No. 1

On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of the Court that the fourth question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Hughes.

The Mitchell Stone Building Co., Appellant, vs. R. de V. Carroll, Trustee in Bankruptcy of the Newman Keck Manufacturing Co., Bankrupt.

No. 212.

Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged

be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Justice Day.

212. The Mitchell Store Building Co., vs. Appellant, R. de V. Carroll, Trustee in Bankruptcy of the Herman Keck Manufacturing Co., Bankrupt. On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Day.

161 Fremont Weeks, vs. Plaintiff in Error, The United States. In Error to the District Court of the United States for the Western District of Missouri

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause

said District Court for further proceedings in accordance with the opinion of this Court.

Per Mr. Justice Day.

The United States of America, Petitioner. vs. Lexington Mill & Elevator Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

545.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause, reversing the judgment of the District Court, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri, with directions to grant a new trial.

Per Mr. Justice Day.

Rosa Maria Calaf y Fugural et al., Appellants, vs. Federico Calaf y Rivera

Appeal from the Supreme Court of Porto Rico.

199

transcript of the record from the Supreme Court of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

Vicenta Montoya and The Unknown Heirs of Francisco Montes Vigil, deceased, et al., Appellants, vs. Candido G. Gonzales et al. Appeal from the Supreme Court of the Territory of New Mexico.

204.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of New Mexico.

Per Mr. Justice Holmes

175. La Roy Fibre Co., vs. Chicago, Milwaukee & St. Paul Railway Co. — On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first and second questions certified must be answered in the negative, and the third question certified in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice McKenna

Dissenting:
Mr. Justice Holmes
Mr. Chief Justice White

203. Andrieus A. Jones, Receiver, Appellant, vs. St. Louis Land & Cattle Co. — Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by

Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby, remanded to the Supreme Court of the State of New Mexico for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice McKenna.

Susan J. Taylor, as Administratrix of the goods, chattels and credits which were of Howard E. Taylor, deceased, Plaintiff in Error, vs. Sexton E. Taylor. In Error to the Supreme Court of the State of New York.

224

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice McKenna.

Cornelius K. G. Billings — Plaintiff in Error. — In Error to the Circuit Court of the United States for the Southern District of New York.

66 vs. The United States

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed in part and affirmed in part; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice White

The United States — On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

625. vs.

Cornelius K. G. Billings

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered by the Court that the said certificate be, and the same is hereby, dismissed.

N. Clay Peirce. — In Error to the Circuit
64 vs. Plaintiff in Error. — Court of the United
The United States. — States for the Southern
District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York with a direction to dismiss the complaint.

per Mr. Chief Justice White

The United States. — On a certificate from the
623 vs. — United States Circuit Court
N. Clay Peirce — of Appeals for the Second
Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered by the Court that the said certificate be, and the same is hereby, dismissed.

per Mr. Chief Justice White

Tuesday, February 24th, 1914, continued

63	N. Clay Pierce. vs. The United States.	In Error to the Circuit Court of the United States for the Southern District of New York. Plaintiff in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby remanded to the District Court of the United States for the Southern District of New York with a direction to dismiss the complaint.

Per Mr. Chief Justice White.

624	The United States vs. N. Clay Pierce	On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered by the Court that the said certificate be, and the same is hereby, dismissed.

Per Mr. Chief Justice White.

Tuesday, February 24th, 1914, continued

67. Cornelius K. G. Billings. vs. The United States. Plaintiff in Error. In Error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed in part and affirmed in part; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice White

626. The United States vs Cornelius K. G. Billings. On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered by the Court that the said certificate be, and the same is hereby, dismissed

Per Mr. Chief Justice White

714. Roy A. Rainey, Plaintiff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed in part and affirmed in part; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice White

627. The United States vs. Roy A. Rainey On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered by the Court that the said certificate be, and the same is hereby, dismissed

73.	Roy A. Rainey vs. The United States.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed in part and affirmed in part; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice White

628.	The United States vs. Roy A. Rainey	On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered by the Court that the said certificate be, and the same is hereby, dismissed

Per Mr. Chief Justice White

631

The United States,
vs.
Robert Wallon Goelet,
Sole Executor of Harriet
Goelet, deceased

On a certificate from the United States Circuit Court of Appeals for the Second Circuit

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the second question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice White.

632

The United States
vs.
Robert Wallon Goelet,
Sole Executor of Harriet
Goelet, deceased.

On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of the Court that the second question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so

of Appeals

Per Mr. Chief Justice White

629 The United States vs. James Gordon Bennett. On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first, second, third, fourth, fifth and seventh questions certified must be answered in the affirmative, and the sixth question certified in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice White

630 The United States vs. James Gordon Bennett. On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the second question certified must be answered in the negative.

that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice White

The Texas & Pacific Railway Co., Appellant, vs. The Railroad Commission of Louisiana and The Individual Members thereof.

Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

No. 186.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Louisiana.

Per Mr. Chief Justice White

Ben F. Harrison, Secretary of State of the State of Oklahoma, Appellant.	vs.	Appeal from the Circuit Court of the United States for the Western District of Oklahoma.
34 St. Louis & San Francisco Railroad Co.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Oklahoma.

Per Mr. Chief Justice White

J. C. Baccus, Plaintiff in Error,	vs.	In Error to the Third Judicial District Court,
170 The State of Louisiana		Parish of Claiborne, State of Louisiana.

This cause came on to be heard on the transcript of the record from the Third Judicial District Court, Parish of Claiborne, State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of

the same is hereby affirmed with costs.
per Mr. Chief Justice White.

217 Anna Hawley, Plaintiff in Error. vs. Joseph W. Walker, Constable for the Township of Montgomery, Franklin County, Ohio. In Error to the Supreme Court of the State of Ohio

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.
per Mr. Chief Justice White.

561 Equitable Surety Co. vs. The United States to the use of W. W. McMillan & Son. It is ordered by the Court that this case be placed on the summary docket.
per Mr. Chief Justice White.

645 Southern Railway Co. vs. W. O. Cadd. Plaintiff in Error. It is ordered by the Court that this cause be placed on the summary docket.
per Mr. Chief Justice White.

Charleston & Western Carolina Railway Co.,
751. vs. Plaintiff in Error.
Lizzie Thompson.

It is ordered by the Court that this cause be placed on the summary docket.

Per Mr. Chief Justice White.

The International Harvester Co. of America.
166. vs. Plaintiff in Error.
The State of Missouri, on the information of its Attorney General.

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White.

E. I. du Pont de Nemours Powder Co.,
790. vs. Petitioner
The Steamship "Charlton Hall"; etc., J. Robertson Dunn, Claimant.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is

Thomas S. Nowell, Willis E. Nowell, Nowell Mining & Milling Co., et al.,
vs. Petitioners.
International Trust Co., Henry Endicott et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

The United States,
vs. Petitioner.
Nipissing Mines Co.

Mr. Solicitor General Davis, of counsel for the petitioner, submitted to the consideration of the Court a motion to advance this cause

W. E. Johnson et al.,
vs. Appellants.
Edwin Gerlds et al.

Mr. Solicitor General Davis, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

O. Olson et al.,
vs. Plaintiffs in Error.

Mr. Solicitor General Davis, of counsel for

error, submitted to the consideration of the Court a motion to reassign this case.

716. Ambrosio Apapas et al., Plaintiffs in Error. vs. The United States. — Mr. Solicitor General Davis, of counsel for the defendant in error, submitted to the consideration of the Court a motion to reassign this case.

829. The United States et al., Appellants. vs. Louisiana & Pacific Ry Co. et al
830. Atchison, Topeka & Santa Fe Railway Co., et al., Appellants, vs. Louisiana & Pacific Ry Co. et al
831. The United States et al., Appellants. vs. Woodworth & Louisiana Central Railway Co., et al
832. Atchison, Topeka & Santa Fe Railway Co., et al., Appellants, vs. Woodworth & Louisiana Central Railway Co., et al.
833. The United States et al., Appellants vs. Mansfield Railway & Transportation Co., et al.

Mr. Solicitor General Davis, of counsel for The United States submitted to the consideration of the Court a motion to reassign these cases.

Atchison, Topeka & Santa Fe Railway Co., et al.,
534 vs. Appellants.
Mansfield Railway & Transportation Co., et al.
The United States et al.,
535 vs. Appellants
Victoria, Fisher & Western Railroad Co., et al.
Atchison, Topeka & Santa Fe Railway Co. et al.,
536 vs. Appellants.
Victoria, Fisher & Western Railroad Co., et al.
The United States et al.
537 vs. Appellants,
Butler County Railroad Co.

Ramon Valdes,
343 vs. Appellant.
Julio Larrinaga

Mr. N. G. Blietney in behalf of Mr. F. Kingsbury Curtis, of counsel for the appellant, suggested the death of Ramon Valdes, the appellant in this cause, and moved the Court to make Ramon Valdes Cobian, judicial administrator of the said Ramon Valdes, deceased, the party appellant herein. Whereupon, It is now here ordered by the Court that the said Ramon Valdes Cobian, judicial administrator of Ramon Valdes, deceased, &c. and he is hereby made the party appellant in

618. Street & Smith, a co-partnership, etc., vs. The Atlas Manufacturing Co., et al. Appellants. A second petition for a writ of certiorari in this cause was submitted to the consideration of the Court by Mr. Hugh K. Wagner in support of the same.

882. Frank N. Ryan et al., vs. The United States Petitioners. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Elijah N. Zoline and Mr. Chester N. Krum in support of the same, and Mr. Assistant Attorney General Wallace in opposition thereto.

869. Waltham Watch Co., vs. Charles A. Keene. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Nathan Matthews and Mr. Romney Spring in support of the same.

817. J. F. Shultz, vs. Fred W. Reiterbusch Plaintiff in Error. The motion to dismiss or affirm or to place this case on the summary docket was submitted to the consideration of the Court on printed arguments by Mr. D. C. Westenhaver in sup-

opposition thereto.

Kershaw Oil Mill et al.,
814 vs. Petitioners
National Bank of Savannah.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Thomas Ruffin, Mr. Thomas J. Kirkland and Mr. E. D. Blakeney in support of the same, and Mr. William Garrard and Mr. Joseph A. McCullough in opposition thereto.

David A. Neace,
173 vs. Petitioner.
Coal & Coke Railway Co. et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles D. Merrick and Mr. W. E. Chilton in support of the same, and Mr. B. M. Ambler in opposition thereto.

The Commonwealth of Pennsylvania,
200 vs. Appellant,
The York Silk Manufacturing Co., Bankrupt.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Jackson H. Ralston and Mr. William E. Richardson, of counsel for the appellant in support of the petition, and Mr. Henry C. Niles, of counsel for

City of Camden, Petitioner
880. vs.
Armstrong Cork Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edwin G. C. Bleakly and Mr. Henry F. Stockwell in support of the same, and Mr. Norman Grey and Mr. F. Morse Archer in opposition thereto.

Robert Moody & Son, etc., Appellant,
906. vs.
Century Savings Bank.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. S. F. Prouty in support of the same, and Mr. Horatio F. Dale and Mr. William G. Harrison in opposition thereto.

The Oceanic Steam Navigation Co., etc.
795. vs.
W. J. Mellor et al.

Mr. Francis N. Kinnicutt submitted to the consideration of the Court a motion for leave to file an additional brief in this cause on behalf of W. J. Mellor et al. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

534 Union Line Co., Plaintiff in Error. vs. The Chicago & Northwestern Railway Co., et al.

Leave is hereby granted Mr. W. C. Owen to file a brief in this cause as amicus curiae

537 Louis Elie Joseph Henry de Galard de Brassac de Bearn, etc., Plaintiff in Error. vs. Rees R. Winans et al., Trustees, et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the printed arguments record and by Mr. J. Kemp Bartlett, Mr. Edgar Allan Poe and Mr. Shirley Carter in support of the same, and Mr. Maurice Leon in opposition thereto. On motion of Mr. Maurice Leon in that behalf, leave is hereby granted counsel for Alexander Brown & Sons et al., to file a brief in this cause within one week.

The United States of America ex rel Alpheus H. Brown, Plaintiff in Error. vs. Franklin K. Lane, Secretary of the Interior.

The petition for a writ of error in this cause was submitted to the consideration of the Court by Mr. Andrew Wilson in support of the same.

Tuesday, February 24th, 1914, continued.

	The Interstate Commerce Commission et al.,	Mr. Evans Browne submitted to the consideration of the Court a motion for leave to file an additional memorandum in these cases. Whereupon, It is now here ordered by the Court that said motion be, and
97	vs. Appellants,	
	The Southern Pacific Co. et al	
	The Interstate Commerce Commission et al.,	
98.	vs. Appellants,	
	The Atchison, Topeka & Santa Fe Railway Co., et al.	

the same is hereby, denied.

	The State of Georgia,	The form of decree
1, Original.	vs. Complainant.	as to The Ducktown
	The Tennessee Copper Co.,	Sulphur, Copper &
	et al.	Iron Company, Limited, and motion of

complainant to enter same was submitted to the consideration of the Court on printed arguments by Mr. Thomas D. Felder, of counsel for the complainant, in support of the same, and Mr. James A. Fowler, of counsel for The Ducktown Sulphur, Copper & Iron Company, Limited, in opposition thereto.

	So. Paul City Railway Co.,	In Error to the
277	vs. Plaintiff in Error.	Supreme Court of
	State of Minnesota ex rel.	the State of Minne
	City of So. Paul.	sota.

It appearing to the Court that a motion of

writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Citizens Insurance Co. of Missouri,		It is ordered by the Court that this cause
39	vs. Appellant,	be, and the same is
Matt C. Clay et al.		hereby, continued, per stipulation of counsel

Majestic Theatre Co. et al.,		In Error to the Su-
312	vs. Plaintiffs in Error,	preme Court of the
City of Cedar Rapids et al.		State of Iowa.

It appearing to the Court that a motion of counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Adams Express Co.,		In Error to the
371	vs. Plaintiff in Error,	Court of Appeals
Annie P. Mellichamp.		of the State of Georgia.

counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

388 Helene Maregna, Appellant. vs. Samuel W. Backus, Commissioner of Immigration, etc. Appeal from the District Court of the United States for the Northern District of California.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

* See page 492.

100 Clarence B. Wood, Plaintiff in Error. vs. The United States. In Error to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the

adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice White.

522. The Missouri, Kansas & Texas Railway Co., Plaintiff in Error. vs. L. C. Cade.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Joseph M. Bryson and Mr. Aldis B. Browne, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

604. The Missouri, Kansas & Texas Railway Co. of Texas, Plaintiff in Error. vs. E. O. Harris.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Joseph M. Bryson and Mr. Aldis B. Browne, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

634. Margaret N. Williamson vs. Katherine Overton.

This cause was submitted to the consideration of the Court on a certificate and printed arguments by Mr. W. E. Chilton, of counsel for Margaret Williamson,

Tuesday, February 24th, 1914, continued

Oxenton.

639 George L. Henry. vs. William Henkel. United States Marshal, &c. Appellant.

The argument of this cause was commenced by Mr. John C. Spooner, of counsel for the appellant.

388 * Helene Marequa. vs. Samuel W. Backus. Commissioner of Immigration, &c. Appellant,

It is ordered by the Court that leave be, and the same is hereby granted to issue the mandate in this cause.

Proclamation being made, the Court is adjourned

Wednesday, February 25th. 1914

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John C. Spooner, it is ordered that Frederick M. Miner, Esquire, of Minneapolis State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Edwards, it is ordered that Ulysses S. Koons, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

half by Mr. J. Blanc Monroe, it is ordered that W. Calesby Jones, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Bryan, it is ordered that Maud McClure Kelly, of Birmingham, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Charles H. Taylor, Esquire, of Los Angeles, State of California, and S. Grant Harris, Esquire, of St. Paul, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clarence D. Clark, it is ordered that Albert D. Elliot, Esquire, of Eureka, State of Nevada, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The People of Porto Rico,
340. vs. Plaintiff in Error.
Benicio Ramos.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Felix Frankfurter, of counsel for the plaintiff in error, and Mr. Frank Antonsanti and Mr. Frederick S. Tyler, of counsel for the defendant in error.

Carondelet Canal & Navigation Co.,
78. vs. Plaintiff in Error.
State of Louisiana

On motion of Mr. R. G. Pleasant, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, March 16th next.

Wirt Franklin,
553. vs. Plaintiff in Error.
C. S. Lynch et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. A. Ledbetter, of counsel for the plaintiff in error, and Mr. S. J. Bledsoe, of counsel for the defendants in error.

George G. Henry,
639 vs. Appellant.
William Henkel.

The argument of this cause was continued by Mr. John

counsel for the appellant, and by Mr. Solicitor General Davis, of counsel for the appellee, and concluded by Mr. John C. Spooner, of counsel for the appellant

727 The United States, Plaintiff in Error, vs. Willis N. Birdsall

728 The United States, Plaintiff in Error, vs. Thomas E. Brents

729 The United States, Plaintiff in Error, vs. Everett E. Van Wert

The argument of these cases was commenced by Mr. Assistant Attorney General Wallace, of counsel for the plaintiff in error; continued by Mr. Charles W. Mullan, of counsel for the defendant in error in No. 727, and concluded by Mr. Assistant Attorney General Wallace, of counsel for the plaintiff in error.

470 St. Louis Southwestern Railway Co., Plaintiff in Error, vs. The State of Arkansas ex rel. Hal N. Norwood, Attorney General.

The argument of this cause was commenced by Mr. William T. Wooldridge, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Thursday, February 26th, 1914

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. F. V. S. Oliver, Jr., it is ordered that Almuth C. Vandiver and Robert S. Johnstone, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elihu Root, it is ordered that James F. Cavanagh, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. E. C. Goodwin, it is ordered that Don Rose, Charles K. Robinson, and Frank N. Kennedy, Esquires, of Pittsburgh, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. C. Dyer, it is ordered that Charles Hartmann, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Humphrey, it is ordered that Alphens Byers, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William C. Prentiss, it is ordered that Daniel V. Howell, Esquire, of Kansas City, State of Missouri, and Walter L. Clark, Esquire, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Beaumont Rice Mills, a copartnership composed of J. E. Broussard, J. M. Nebet, L. M. Hampshire, M. S. Hampshire, E. J. Le Blanc and B. C. Nebet, as members thereof and individually, Plaintiffs in Error, vs. Port Arthur Rice Milling Co. — In Error to the Supreme Court of the State of Texas.

504

It appearing to the Court that a motion of counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

St. Louis Southwestern Railway Co., Plaintiff in Error, vs. The State of Arkansas ex rel. Hal L. Norwood, Attorney General. — The argument of this cause was continued by Mr. William T. Wooldridge, of counsel for the plaintiff in error, and Mr. William A. Rector, of counsel for the defendant in error, and concluded by Mr. William T. Wooldridge, of counsel for the plaintiff in error.

470

389	Martha Young, Administratrix, etc., vs. Central Railroad Co. of New Jersey.	Plaintiff in Error.

This cause was argued by Mr. Ulysses S. Koons, of counsel for the plaintiff in error, and Mr. Archer G. Dickson, of counsel for the defendant in error.

1150	The Atchison, Topeka & Santa Fe Railway Co., vs. C. E. Robinson.	Plaintiff in Error.
1151	The Atchison, Topeka & Santa Fe Railway Co., vs. N. F. Moore et al.	Plaintiff in Error.

These cases were argued by Mr. S. J. Bledsoe, of counsel for the plaintiff in error, and Mr. John B. Daish, of counsel for the defendants in error.

351	The Holden Land & Live Stock Co., et al., vs. Interstate Trading Co. et al.	Plaintiffs in Error.

The argument of this cause was commenced by Mr. Edward P. Garnett, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned

Friday, February 27th, 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Benjamin Micou, it is ordered that Murray Allen, Esquire, of Raleigh, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr W. C. Douglass, it is ordered that Charles Whedbee, Esquire, of Hertford, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Frank L. Simpson, it is ordered that Thomas R. P. Gibb and Amos Chuley Yoost, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles N. Sloan, it is ordered that William H. Thompson, Esquire, of Grand Island, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. Graham, it is ordered that Walter A. Lantz, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Holden Land & Live Stock Co., et al., Plaintiffs in Error, vs. Interstate Trading Co., et al. 354

The argument of this cause was continued by Mr. Leonard B. Ferry, of counsel for the defendants in error, and concluded by Mr. Edward P. Garnett, of counsel for the plaintiffs in error.

691	Seaboard Air Line Railway, vs. James T. Norton.	Plaintiff in Error.

The argument of this cause was commenced by Mr. Benjamin Micou, of counsel for the plaintiff in error; continued by Mr. William C. Douglass and Mr. Clyde A. Douglass, of counsel for the defendant in error, and concluded by Mr. Murray Allen, of counsel for the plaintiff in error.

615	New Orleans & Northeastern Railroad Co., et al., vs. National Rice Milling Co.	Plaintiffs in Error.

This cause was argued by Mr. J. Blanc Monroe, of counsel for the plaintiffs in error, and Mr. William C. Jones, of counsel for the defendant in error.

816	Annie Myers, vs. Pittsburgh Coal Co.	Petitioner

This cause was argued by Mr. Charles K. Robinson, of counsel for the petitioner, and Mr. Don Rose, of counsel for the respondent.

423	Grand Trunk Western Railway Co., vs. George Lindsay	Plaintiff in Error.

This cause was argued by Mr. George W. Kretzinger, Jr., of counsel for the plaintiff in

by Mr. James C. McShane, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Monday, March 2d, 1914.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph M Kenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General M Reynolds, it is ordered that William A. Hawkins, Esquire, of El Paso, State of Texas, and Andrew J. Jennings, Esquire, of Fall River, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Timothy T. Ansberry, it is ordered that Elisha B. Durfee, Esquire, of Marion, State of Ohio, be admitted to practice as an attorney and counsellor of this Court,

On motion first made to the Court in this behalf by Mr. S. Grant Harris, it is ordered that F. Alexander Stewart and H. Stanley Hunson, Esquires, of Minneapolis, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rufus S. Day, it is ordered that John Doyle Carmody, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

181. William A. Paine, Herbert I. Foster, Thomas S. Dee, and Leonard D. Draper, co-partners, doing business under the name and style of Paine, Webber & Co., vs. Copper Belle Mining Company of Arizona. Appellants, Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the

same is hereby affirmed with costs. It is further ordered that this cause be and the same is hereby remanded to the Supreme Court of the State of Arizona.

Per Mr Justice Holmes

200 | The Commonwealth of Pennsylvania, vs. The York Silk Manufacturing Co., Bankrupt. | Appellant. | Appeal from the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

13, Original. | Ex parte: In the matter of W. L. Roe, | Petitioner | On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, granted

Per Mr. Chief Justice White

Ex parte: In the matter of W. L. Roe. Petitioner.
13, Original.

On consideration of the petition for a writ of mandamus herein, It is now here ordered by this Court that cause be shown before this Court by the Honorable J. Gordon Russell, District Judge of the United States for the Eastern District of Texas, and the District Court of the United States for the Eastern District of Texas, on Monday, April 6th, 1914, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice White.

The State of Georgia, Complainant.
1, Original. vs.
The Tennessee Copper Co. and The Duektown, Sulphur, Copper & Iron Co., Limited.

On consideration of the motion of the complainant for a decree against the defendant, The Duektown Sulphur, Copper & Iron Company, Limited, It is now here ordered by the Court that said motion be assigned for argument on Monday, April 6th next.

Per Mr. Chief Justice White.

O. Stow et al.,
714. vs. Plaintiffs in Error.
The United States.

On consideration of the motion to re-assign this cause

now here ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, April 6th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

146. Ambrosio Apapas et al., Plaintiffs in Error. vs. The United States.

On consideration of the motion to reassign this case for argument,

It is now here ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, April 6th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

829 The United States et al., Appellants, vs. Louisiana & Pacific Railway Co., et al.

830 Atchison, Topeka & Santa Fe Railway Co., et al., Appellants, vs. Louisiana & Pacific Railway Co., et al.

831. The United States et al., Appellants, vs. Woodworth & Louisiana Central Railway Co. et al.

Atchison, Topeka & Santa

On consideration of the motion to reassign these cases for argument, It is now here ordered by the Court that these causes be, and the same are hereby, reassigned for argument on Monday, April 6th next, after the cases heretofore assigned for that day.

832 vs. Appellants,
Woodworth & Louisiana Central Railway Co., et al.
The United States et al..

833 vs. Appellants,
Mansfield Railway & Transportation Co. et al.
Atchison, Topeka & Santa Fe Railway Co., et al.,

834 vs. Appellants,
Mansfield Railway & Transportation Co., et al.
The United States et al..

835 vs. Appellants,
Victoria, Fisher & Western Railroad Co., et al.
Atchison, Topeka & Santa Fe Railway Co., et al.,

836 vs. Appellants,
Victoria, Fisher & Western Railroad Co., et al.
The United States et al..

837 vs. Appellants,
Butler County Railroad Co.

The United States,
709 vs. Petitioner,
Nipissing Mines Co.

On consideration of the motion to advance this cause, It is now here ordered by the Court

granted, and the cause assigned for argument on Monday, April 6th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

W. E. Johnson, J. E. Bruns and N. F. Coggeshall, Appellants, vs. Edwin F. Guthrie, L. J. Krammer, Fred E. Brinkman et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

162.

and the cause assigned for argument on Monday, April 6th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

Street & Smith, a copartnership, etc., Appellants, vs. The Atlas Manufacturing Co., et al.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

615

per Mr. Chief Justice White

200 The Commonwealth of Pennsylvania, Appellant. vs. The York Silk Manufacturing Co., Bankrupt. On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

869 Waltham Watch Co., Petitioner. vs. Charles A. Keene. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

884 Kershaw Oil Mill and Lancaster Cotton Oil Co., Petitioners, vs. The National Bank of Savannah. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

David A. Neese, Petitioner.
v.
Coal & Coke Railway Co., Washington Coal & Coke Co., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

895

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Robert Moody & Son, a co partnership, etc.,
v. Appellant.
Century Savings Bank

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, It is now here ordered by the Court that the said peti-

906

248. The United States, Appellant, vs. Jane Lucy. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Davis, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice White.

838. The United States, Plaintiff in Error, vs. Harold A. Foster et al. Mr. Solicitor General Davis, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

887. Franklin K. Lane, Secretary, &c., et al., Appellants, vs. Cornelius C. Watts et al. Mr. Solicitor General Davis, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

381. C. H. Albers Commission Co., Plaintiff in Error, vs. Mary E. Spencer et al. The motion to dismiss in this cause was submitted to

of the Court on the record and printed arguments by Mr. Frederick N. Judson and Mr. John F. Green in support of the same, and by Mr. Shepard Barclay in opposition thereto.

Godfrey M. Hyams, Petitioner.
vs.
Old Dominion Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward M. Colie in support of the same, and Mr. Louis D. Brandeis and Mr. Edward F. McClennen in opposition thereto.

419.

Lem Motlow, Plaintiff in Error.
vs.
The State of Tennessee

It is ordered by the Court that this cause be, and the same is hereby, continued, per stipulation of counsel.

245

The Minneapolis & St Louis Railroad Co., Plaintiff in Error.
vs.
O. S. Burks

In Error to the Supreme Court of the State of Minnesota.

645.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court

the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

679. Charles Carlesi, etc., Plaintiff in Error, vs. The People of the State of New York. This cause was argued by Mr. Almuth C. Vandiver, of counsel for the plaintiff in error, and Mr. Robert S. Johnstone, of counsel for the defendant in error.

329. Union Line Co., Plaintiff in Error, vs. The Chicago & Northwestern Railway Co. et al. This cause was argued by Mr. George Lines, of counsel for the plaintiff in error, and by Mr. Walter Drew and Mr. Edward M. Smart, of counsel for the defendants in error.

796. Southern Railway-Carolina Division et al., Plaintiffs in Error, vs. Hattie E. Bennett, Administratrix, etc. This cause was argued by Mr. J. E. McDonald, of counsel for the plaintiffs in error, and by Mr. W. Boyd Evans, of counsel for the defendant in error.

Anthony Famuglia.
213 vs. Plaintiff in Error.
Philadelphia & Reading
Railway Co.

This cause was argued by Mr. George Dimming, of counsel for the plaintiff in error. and by Mr. William Clark Mason, of counsel for the defendant in error.

Proclamation being made, the Court is ad

Tuesday, March 3d. 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Theodore E. Burton, it is ordered that Walter G. Kirkbride, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. S. Clark, it is ordered that G. P. Bullard, Esquire, of Phoenix, State of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The State of Louisiana, Complainant, vs. William Gibbs McAdoo, Secretary of the Treasury of the United States, et al.

Mr. Ruffin G. Pleasant, Mr. Joseph W. Bailey and Mr. Paul J. Christiana, of counsel for the complainant, submitted to the consideration of the Court a motion for leave to file a bill of complaint in this cause.

Charles Wilson, alias Charles Willard, Plaintiff in Error, vs. The United States

Catherine Wilson, alias Joe Willard, Plaintiff in Error, vs. The United States.

On motion of Mr. Solicitor General Davis, of counsel for the defendant in error, It is ordered by the Court that leave be, and the same is hereby, granted the Clerk to issue the mandates in these cases.

Southern Railway Co., Appellant, vs. Ephraim Simon

Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged

be, and the same is hereby, dismissed with costs.
Per Mr. Chief Justice White.

696 Missouri, Kansas & Texas Railway Co., et al., vs. Plaintiffs in Error. Jooliee B. West.

This cause was argued by Mr. W. R. Allen, of counsel for the plaintiffs in error, and by Mr. Charles H. Taylor, of counsel for the defendant in error.

767 Joseph Hull et al., vs. Appellants, Archer E. Burr et al.

This cause was argued by Mr. George C. Bedell, of counsel for the appellants, and Mr. Frank L. Simpson, of counsel for the appellees.

176 Chicago, Milwaukee & St. Paul Railway Co., vs. Plaintiff in Error. The State of Iowa.

This cause was argued by Mr. C. W. Dynes, of counsel for the plaintiff in error, and Mr. George Cosson, of counsel for the defendant in error.

89 The Territory of Arizona at the relation of J. M. Gaines, Tax Collector, vs. Appellant. The Copper Queen Consolidated Mining Co.

The argument of this case was commenced by Mr. E. S. Clark, of counsel for the appellant.

[illegible] the Court is [illegible]

Wednesday, March 4th, 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Joe J. Russell, it is ordered that Charles O. Borth, Esquire, of Doniphan, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. V. S. Oliver, Jr., it is ordered that Solomon C. Sugarman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. James M. Swift; it is ordered that Thomas J. Boynton, Esquire, of Everett, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jack Beall, it is ordered that J. P. Cox, Esquire, of Sherman, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

232. William R. Hopkins, Petitioner. vs. Charles Hebard et al. On motion of Mr. C. B. Matthews, of counsel for the Petitioner, It is ordered by the Court that this cause be, and the same is hereby, continued.

231. Hugo Adelberto Thomsen et al., Plaintiffs in Error. vs. Sir Charles W. Cayser et al. On motion of Mr. Charles R. Hickox, of counsel for the defendants in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 16.

The Territory of Arizona ex rel. J. M. Caine, Tax Collector,
vs. Appellant.
The Copper Queen Consolidated Mining Co.

The argument of this cause was continued by Mr. E. S. Clark, of counsel for the appellant, and Mr. F. N. Judson, of counsel for the appellee, and concluded by Mr. George P. Bullard, of counsel for the appellant.

Samuel Curriden,
vs. Appellant.
Grant L. Middleton
et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. E. Chandler, Mr. Lorenzo A. Bailey, and Mr. William L. Chamberlain, of counsel for the appellant, and by Mr. E. Hilton Jackson, of counsel for the appellee.

Port Richmond & Bergen Point Ferry Co.,
vs. Plaintiffs in Error.
The Board of Chosen Freeholders of the County of Hudson.

This cause was argued by Mr. Frank Bergen, of counsel for the plaintiffs in error, and Mr. James J. Murphy, of counsel for the defendant in error.

225. Richard G. Riley, vs Plaintiff in Error. Commonwealth of Massachusetts.

The argument of this cause was commenced by Mr. Andrew J. Jennings, of counsel for the plaintiff in error, and continued by Mr. James M. Swift, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Andrew J. Montague, it is ordered that George Wayne Anderson, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Grant Fellows, it is ordered that Armand Romain, Esquire, of New Orleans, State of Louisiana, and Edward Payson White, Esquire, of Buffalo, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel P. J. McKenna, it is ordered that John T. Dolan, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Kansas City Gunning Advertising Co., Plaintiff in Error, vs. Kansas City, Missouri, et al. — In Error to the Supreme Court of the State of Missouri.

235

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcripts of the record, It is, therefore, in pursuance of the tenth rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief-Justice White

Kansas City Gunning Advertising Co., Plaintiff in Error, vs. Kansas City, Missouri, et al. — In Error to the Supreme Court of the State of Missouri.

236

This cause having been called for hearing in

that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

237 R. A. Ailor, Appellant, vs. The Board of Medical Examiners of Arizona. Appeal from the Supreme Court of the Territory of Arizona.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona.

Per Mr. Chief Justice White

235 Sue M. Rogers, as Executrix, etc., Appellant, vs. The Osage Nation of Indians. Appeal from the Court of Claims.

its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice White

228. Richard G. Riley, Plaintiff in Error. vs. Commonwealth of Massachusetts.

The argument of this cause was continued by Mr. James M. Swift, of counsel for the defendant in error and concluded by Mr. Andrew J. Jennings, of counsel for the plaintiff in error.

229. George N. Holt, doing business as George N. Holt & Co., Appellant. vs. Norvell L. Henley, Trustee, et al.

The argument of this cause was commenced by Mr. S. O. Bland, of counsel for the appellant; continued by Mr. Norvell L. Henley of counsel for the Peninsula Bank and Henley, Trustee; by Mr. O. D. Batchelor, of counsel for Phillips, Spencer and Cooke, Trustees in Bankruptcy and Mr. Norvell L. Henley, of counsel for the Peninsula Bank and Henley, Trustee, and concluded by Mr. S. O. Bland, of counsel for the

The Santa Fe Central Railway Co., et al., Plaintiffs in Error, vs. Harry Slocum Friday, etc.

530

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. W. Dobson, of counsel for the plaintiffs in error, and Mr. T. B. Catron, of counsel for the defendant in error.

Proclamation being made, the Court is ad-

Friday, March 6th, 1914

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Grant Fellows, it is ordered that Eva E. Bean, of Old Orchard, State of Maine, and Benjamin E. Pierce, Esquire, of Augusta, State of Georgia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Love Hopkins, it is ordered that Alphonso Howe, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

241 Illinois Central Rail-road Co., vs. Joseph Behrens, Administrator, &c. — On motion of Mr. H. R. Gower, leave is hereby granted him to file a brief in this cause in behalf of The New York Central & Hudson River Railroad Company as amicus curiae.

240 Edward N. Mann, Appellant, vs. The Territory of New Mexico ex rel George S. Klock. — Appeal from the Supreme Court of the Territory of New Mexico.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of New Mexico.

Per Mr. Chief Justice White.

233. American Iron & Steel Manufacturing Co. vs. Seaboard Air Line Railway et al.

This cause was argued by Mr. George Wayne Anderson, of counsel for American Iron & Steel Manufacturing Co. and by Mr. L. L. Lewis, of counsel for the Seaboard Air Line Railway et al.

234. The United States, upon the relation and for the use and benefit of Texas Portland Cement Co. et al., vs. D. C. McCord et al.

This cause was argued by Mr. Francis Marion Etheridge, of counsel for The United States ex rel. Texas Portland Cement Company et al., and by Mr. Charles W. Starling, of counsel for the National Surety Company of New York.

239. David J. Stewart, Plaintiff in Error, vs. The People of the State of Michigan.

This cause was argued by Mr Grant Fellows, of counsel for the defendant in error and submitted on the record and a printed argument by Mr. George M. Valentine, of counsel for the plaintiff in error.

141 Illinois Central Rail-road Company vs. Joseph Behrens, Administrator, etc. This cause was argued by Mr. Blewett Lee, of counsel for Illinois Central Rail-road Company, and by Mr. Armand Romain, of counsel for Joseph Behrens, Administrator, etc.

Proclamation being made, the Court is ad-

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Jack Beall, it is ordered that Frank L. Snodgrass, Esquire, of Coleman, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. P. Borland, it is ordered that Buckner F. Deatherage, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. W. S. Hammond, it is ordered that Alfred Jaques, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Frear, it is ordered that Lester C. Manson and Russell Jackson Esquires, of Milwaukee, and Michael E. Burke, Esquire, of Beaver Dam, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

634 Margaret N. Williamson vs. Katherine Overton. On a certificate from the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Holmes

George E. Priest, Melvin W. Luck and Charles M. Benjamin,
vs. Appellants,
The Board of Trustees of the Town of Las Vegas, in the County of San Miguel, New Mexico

Appeal from the Supreme Court of the Territory of New Mexico.

218.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of New Mexico.

Per Mr. Justice McKenna

United States of America ex rel. Alpheus H. Brown,
vs. Petitioner,
Franklin K. Lane, Secretary of the Interior.

On consideration of the petition for a writ of error herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that the said petition be, and the same is hereby,

Martha Young, Administratrix of the estate of Peter B. Young, deceased, Plaintiff in Error, vs. Central Railroad Company of New Jersey. In Error to the United States Circuit Court of Appeals for the Third Circuit.

384

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that so much of the judgment of the said Circuit Court of Appeals as reversed the judgment of the District Court of the United States for the Eastern District of Pennsylvania in this cause be, and the same is hereby, affirmed, and that the direction of the said Circuit Court of Appeals for entry of judgment in favor of the defendant be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court with directions to set aside its judgment and grant a new trial.

Per Mr. Chief Justice White.

Louis Elie Joseph Henry de Galard de Brassac de Bearn, Count and Prince of Bearn and Chalais,

557. vs. Plaintiff in Error.

Rose R. Winans and Ferdinand C. Latrobe, Trustees, et al.

In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction

per Mr. Chief Justice White

C. H. Albers Commission Co.,

581. vs. Plaintiff in Error.

Mary E. Spencer and Harlow B. Spencer, Executrix and Executor of the Estate of Corwin N. Spencer, deceased, et al.

In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the tran-

of the State of Missouri, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

817 J. F. Shultz, Plaintiff in Error vs. Fred W. Kilbrusch, County Treasurer of Logan County, Oklahoma, et al. In Error to the Supreme Court of the State of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

Original. The State of Louisiana, Complainant vs. William G. McAdoo, Secretary of the Treasury, et al. It is ordered by the Court that the motion for leave to file a bill of complaint herein be, and the same is hereby, assigned

838 The United States vs. Plaintiff in Error, Horace A. Foster, Frank E. Winchell, William S. Edwards and Harry N. Platt. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 6th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White.

887 Franklin K. Lane, Secretary of the Interior, and Clay Tallman, Commissioner of the General Land Office. vs. Appellants, Cornelius C. Watts, Dabney C. T. Davis, Jr., John Watts and James W. Vroom. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 6th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White.

880 City of Camden vs. Petitioner, Armstrong Cork Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

882. Frank M. Ryan, John N. Barry, Eugene A. Clancy, et al., Petitioners vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well as support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

919. Godfrey M. Hyams, Petitioner vs. Old Dominion Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and

as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

Order.

The Reporter having represented that owing to the number of decisions at the present term it would be impracticable to put the reports in one volume, it is, therefore, now here ordered that he publish an additional volume in the year pursuant to section 226 of the Judicial Code, approved March 3, 1911.

per Mr. Chief Justice White.

912 William R. Hopkins et al., Petitioners vs. A. Louisa M. Gilbert et al., etc., et al.

913. W. R. Hopkins, Petitioner, vs. A. Louisa M. Gilbert et al., etc., et al.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Wade H. Ellis, Mr. C. B. Matthews, Mr. F. A. Sondley and Mr. Theodore F. Davidson in support of the same, and Mr. James H. Merrimon and Mr. Thomas S. Rollins in opposition thereto.

915 Compagnie Generale Transatlantique vs. Petitioner
Laura Rivas

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Joseph P. Nolan in support of the same, and Mr. Charles H. Tuttle, in opposition thereto.

311 Mrs. Carmelite Pons, wife of George A. Longue, vs. Plaintiff in Error.
Yazoo & Mississippi Valley Railroad Co., et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Blewett Lee, Mr. Charles N. Burch, Mr. Hunter C. Leake, Mr. H. D. Minor and Mr Gustave Semle in support of the same, and by Mr. Henry L. Lazarus and Mr. Edgar H. Farrar in opposition thereto

917 The Victor-American Fuel Co., vs. Petitioner,
Frank Peccarich

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Caldwell Yeaman in support of the same, and by Mr. George S. Klock in opposition thereto.

652. Seaboard Air Line Railway, Plaintiff in Error. vs. J. M. Pace Mule Co.

Mr. Richard P. Whitely, in behalf of Mr. Murray Allen, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause and place the same on the summary docket.

868. George W. Norton, as Executor, etc., Appellant, vs. Robert B. Whiteside et al.

The petition for a writ of certiorari in this cause was submitted to the consideration of the court on printed arguments by Mr. Jed L. Washburn in support of the same, and by Mr. Theodore T. Hudson, Mr. Luther C. Harris, and Mr. John B. Richards in opposition thereto.

Original. Ex parte: In the matter of Adolph Grinsinger, Petitioner

Mr. George F. Curtis, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file an amended petition for a writ of habeas corpus in this cause.

366 The Pelt Line Railway Co. Appellant
vs.
The City of Montgomery et al.

Appeal from the District Court of the United States for the Middle District of Alabama.

It appearing to the Court that a confession of error by counsel for the appellees and a consent that the decree of the District Court of the United States for the Middle District of Alabama in this cause may be reversed has been filed. Therefore, in pursuance of said confession of error and consent, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings.

per Mr. Chief Justice White.

* See page 548.

352 Clark Ruffcorn et al. Plaintiffs in Error and Appellants,
vs.
The Board of Supervisors of Harrison County, Iowa, et al.

On motion of Mr. William R. Green, of counsel for the plaintiffs in error and appellants, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

William Rabb,
253. vs. Plaintiff in Error.
The State of Louisiana.

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

The United States of America.
242. vs. Plaintiff in Error.
Rudolph Axman et al.

Mr. Frank W. Aitken, of counsel for Rudolph Axman, one of the defendants in error in this cause, suggested the death of the said Rudolph Axman, and moved the Court to make Julia A. Axman, Executrix of the last will and testament of the said Rudolph Axman, deceased, a party defendant in error in this cause. Whereupon, It is now here ordered by the Court that the said Julia A. Axman, Executrix of the last will and testament of Rudolph Axman, deceased, be, and she is hereby, made a party defendant in error in this cause

The United States of America.
242. vs Plaintiff in Error.
Julia A. Axman, Executrix, &c., et al.

This cause was argued by Mr. Solicitor General Davis, of counsel for the plaintiff in error, and by Mr. Frank W. Aitken and Mr. Edward Duffy, of counsel for the defendants in error.

2413 W. Schneider Wholesale Wine & Liquor Co., Appellant, vs. August Diederich

It is ordered by the Court that this cause be, and the same is hereby, passed temporarily

3411 Chicago, Rock Island & Pacific Railway Co., Plaintiff in Error, vs. Pine Tree Lumber Co.,

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Thomas S. Bugbee, of counsel for the plaintiff in error, and Mr. Walter Elder, of counsel for the defendant in error.

2416 Chicago, Milwaukee & St. Paul Railway Co., Plaintiff in Error, vs. C. B. Kennedy

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Burton Hanum and Mr. William G. Porter, of counsel for the plaintiff in error. No brief was filed for the defendant in error.

2417 Scott Logan, Plaintiff in Error, vs. W. R. Davis

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William Mil- christ and Mr. George C. Scott, of counsel for

B. Davis, of counsel for the defendant in error. Leave was granted counsel for the plaintiff in error to file a reply brief within six days.

249 E. A. O'Sullivan, Plaintiff in Error, vs. Paul Felix et al. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. W. S. Pattenson and Mr. E. A. O'Sullivan, of counsel for the plaintiff in error. No brief was filed for the defendants in error.

250 Archibald Hollenbach et al., Appellants, vs. The United States. This cause was argued by Mr. William B. King, of counsel for the appellants, and submitted on a printed argument by Mr. Assistant Attorney General Thompson of counsel for the appellee.

366 The Belt Line Railway Co., Appellant, vs. The City of Montgomery et al. It is ordered by the Court that leave be, and the same is hereby, granted to issue the mandate in this cause.

Proclamation being made, the Court is adjourned

Tuesday, March 10th, 1914

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph M Kenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Huston Thompson, it is ordered that Claude D. Gratton, Esquire, of Burlington, State of Vermont, and Wilber W. Chamberlin, Esquire, of Albany, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Timothy T. Ansberry, it is ordered that Charles R. Price, Esquire, of Kenton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and

On motion first made to the Court in this behalf by Mr. William Hayward, it is ordered that William H. Pilger, Esquire, of Nebraska City, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Charles S. Rice, it is ordered that Alfred E. Billings, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

W. Schneider Wholesale Wine & Liquor Co., Appellant
243. vs
August Diederich

On consideration of the petition for a writ of certiorari herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

Erie Railroad Co., Plaintiff in Error,
244. vs
John Williams, Commissioner of Labor, etc.

On motion of Mr. Wilber W. Chambers, of counsel for the defendant in error,

It is ordered by the Court that this cause be,

the provisions of section 7, rule 26.

Henry Meyer,
vs. Plaintiff in Error,
The State of Kansas

In Error to the Supreme Court of the State of Kansas.

258

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White

Ephraim Simon,
vs. Appellant,
The Southern Railway Co.

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions

260

of section 7, rule 26.

L. V. Mullen,
vs. Plaintiff in Error,
N. N. Simmons, Sheriff, etc., et al.

It is ordered by the Court that this cause be, and the same is hereby, continued per stipulation of counsel.

263

266. Erie Railroad Co., vs. The People of the State of New York. Plaintiff in Error.

On motion of Mr. Wilbur W. Chambers, of counsel for the defendant in error,

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

254. New York Life Insurance Co., vs. Mary E. Read. Plaintiff in Error.

255. New York Life Insurance Co., vs. Richard G. Read, jr., &c. Plaintiff in Error.

These cases were argued by Mr. James H. McIntosh of counsel for the plaintiff in error, and Mr. B. F. Deatherage, of counsel for the defendants in error.

256. The United States. vs. Nelson P. Vulte. Appellant.

This cause was argued by Mr. Assistant Attorney General Thompson, of counsel for the appellant, and Mr. George A. King, of counsel for the appellee.

262. Thomas May, Jr., et al. vs. The People of the State of Illinois for the use of Ed- Plaintiffs in Error.

The argument of this cause was commenced by Mr. Fred

counsel for the plaintiffe in error. The Court declined to hear counsel for the defendant in error.

Proclamation being made, the Court is ad-

Wednesday, March 11th, 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frank W. Arnold, it is ordered that Morgan J. O'Brien, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. Chamberlain, it is ordered that Charles R. Reeves, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Louis Marshall, it is ordered that Harry S. Bandler, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles N. Burton, it is ordered that Richard A. Jones, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. William F. Murray, it is ordered that Michael L. Sullivan, Esquire, of Salem, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

International Harvester Company of America, Plaintiff in Error,
276 vs.
Commonwealth of Kentucky.

On motion of Mr. E. A. Bancroft, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, passed, to be heard with cases Nos. 291 and 292.

Wednesday, March 11th, 1914. Continued.

275 The Hammond Packing Co., Plaintiff in Error, vs. The State of Montana. This cause was submitted to the consideration of the Court on the record, and leave was granted counsel to file briefs within fifteen days.

259 E. A. Browning, Plaintiff in Error, vs. City of Wauseon. This cause was argued by Mr. R. A. Jones, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. W. W. Lambdin and Mr. Thomas S. Felder, of counsel for the defendant in error.

267 The Order of St. Benedict of New Jersey, Petitioner, vs. Albert Steinhauer, Administrator, &c. This cause was argued by Mr. Morgan J. O'Brien, of counsel for the petitioner, and Mr. William H. Pilzer and Mr. William Hayward, of counsel for the respondent.

273 Walter A. Ledbetter, Receiver, etc., Plaintiff in Error, vs. Kaufman Mandell. The argument of this cause was commenced by Mr. Arthur F. Gottheld, of counsel for the plaintiff in error, and

Thursday, March 12th. 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Marshal,
James D. Maher, Clerk,

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Cummins, it is ordered that F. W. Lehmann, Jr., Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that Claude A. Thompson, Esquire, of New York City, and John H. Campbell, Esquire, of Tucson, State of Arizona, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accord-

On motion first made to the Court in this behalf by Mr. W. W. Bride, it is ordered that Samuel J. Wellrick, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Daniel P. J. McKenna, it is ordered that Peter C. Cannon, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert H. Terrell, it is ordered that G. Edward Dickerson, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

W. S. Rhea. Appellant. Appeal from the District Court of the United States for the Eastern District of Arkansas.

321 vs.

James A. Pitcock, Warden, etc.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and

and the same is hereby, dismissed with costs.
per Mr. Chief Justice White

281 Schmidt and Story et al., Plaintiffs in Error, vs. The Bank of Commerce. On motion of Mr. J. B. Catron in behalf of counsel. It is ordered by the Court that this cause be, and the same is hereby, passed temporarily

282. J. A. Miller, Trustee, &c., Appellant, vs. The First National Bank of Albuquerque. On motion of Mr. F. W. Clements, in behalf of counsel. It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 7, rule 26.

283. J. Franklin Cunningham et al., Plaintiffs in Error, vs. The State of Louisiana. In Error to the Supreme Court of the State of Louisiana.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the

Walter A. Ledbetter. The argument of
Receiver &c.,
273 vs. Plaintiff in Error, this cause was
Kaufman Mandell. continued by
Mr. Louis Marshall,
of counsel for the
defendant in error, and concluded by Mr.
Joseph W. Bailey, of counsel for the plaintiff
in error.

W. W. Smith, This cause was
268 vs. Plaintiff in Error, argued by Mr.
The State of Texas. Gardiner Lathrop,
of counsel for the
plaintiff in error, and submitted on a printed
argument by Mr. B. F. Looney, of counsel for
the defendant in error.

A. L. Herbert, This cause was
269 vs. Plaintiff in Error, submitted to the
Henry R. Pickrell et al. consideration of
the Court on the
record with leave to counsel to file briefs within
thirty days.

Martin Ocampo et al., The argument of
270 vs. Plaintiffs in Error, this cause was
The United States. commenced by
Mr. William R.
Hart, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned
until tomorrow at [illegible]

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Marshal,
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that Lucius D. Moore, Esquire, of Winfield, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Addison T. Smith, it is ordered that William E. Aughinbaugh, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Friday, March 13th 1914, continued

On motion first made to the Court in this behalf by Mr. Alexander Pope Humphrey, it is ordered that Victor A. Remy, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that G. Ray Craig, Esquire, of Norwalk, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of Adolph Grimsinger Original Petitioner

On motion of Mr. Solicitor General Davis, leave is hereby granted him to file a brief in opposition to the motion for leave to file an amended petition for a writ of habeas corpus in this cause

295. J. F. Smith et al., Plaintiffs in Error. vs. George Leavenworth

On motion of Mr. Frederick S. Tyler in behalf of counsel, it is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

Sioux Remedy Co.,
286 vs. Plaintiff in Error,
J. M. and D. C. Cope.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Joe Kirby, Mr. C. E. Moore, and Mr. A. W. Bulkley, of counsel for the plaintiff in error, and leave was granted counsel for the defendant in error to file a printed brief herein on or before the 17th instant.

Yee Ting Woh,
287 vs. Appellant,
A. J. Hirshkies, Sheriff.

Appeal from the District Court of the United States for the Northern District of Ohio.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

Charles Overton,
294 vs. Plaintiff in Error,
The State of Oklahoma.

It is ordered by the Court that this cause be, and the same is hereby, continued, per stipulation of counsel.

270. Marten Ocampo et al., Plaintiffs in Error, vs. The United States. The argument of this cause was continued by Mr. William R. Harr, of counsel for the plaintiffs in error, and Mr. Solicitor General Davis, of counsel for the defendant in error, and concluded by Mr. William R. Harr, of counsel for the plaintiffs in error.

271. Kate C. Archer, Petitioner, vs. The Greenville Sand & Gravel Co., et al. The argument of this cause was commenced by Mr. Percy Bill, of counsel for the petitioner; continued by Mr. John W. Yerkes, of counsel for the respondents, and concluded by Mr. T. M. Miller, of counsel for the petitioner.

284 Twin Falls Canal Co., Plaintiff in Error, vs. The State of Idaho et al. It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 7, rule 21.

283 J. J. Green, Appellant, vs. The Menominee Tribe of Indians in Wisconsin et al. The argument of this cause was commenced by Mr. L. J. Mechenet, of counsel for the appellant.

Cont.

Monday next, 16th inst.

Monday, March 16th, 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General McReynolds, it is ordered E. Marvin Underwood, Esquire, of Atlanta, State of Georgia, and George V. Triplett, Jr., Esquire, of Owensboro, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. B. Catron, it is ordered that Harry M. Dougherty, Esquire, of Socorro, State of New Mexico, be admitted to practice as an attorney and counsellor of this Court,

On motion first made to the Court in this behalf by Mr. Edwin W. Sims, it is ordered that William S. Kies, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Carusi, it is ordered that Laurence Sands Paddock, Esquire, of East Orange, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edgar H. Farrar, it is ordered that Benjamin T. Walde and William C. Dufour, Esquires, of New Orleans; R. F. Broussard, Esquire, of New Iberia, and John C. Theus, Esquire, of Monroe, State of Louisiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Will R. King, it is ordered that Arthur R. Nonnold, Esquire, of Denver, State of Colorado, and B. E. Stoutemyer, Esquire, of Boise, State of Idaho, be admitted to practice as attorneys and counsellors of this Court, and

On motion first made to the Court in this behalf by Mr. R. G. Pleasant, it is ordered that Daniel Wendling, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry Peyton, it is ordered that Robert F. Spearman, Esquire, of Greenville, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edgar A. Bancroft, it is ordered that Samuel D. Snow, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward Duffy, it is ordered that Charles McH. Howard, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that

admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carruthers Ewing, it is ordered that Albert W. Biggs, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Blair, it is ordered that N. Edgar Barnes, Esquire, of Philadelphia, State of Pennsylvania, and Arthur Hellen, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

182. Grant Brothers Construction Co. and The United States Fidelity & Guaranty Co. of Baltimore, Maryland, Plaintiffs in Error, vs. The United States. In Error to the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is

that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona.

per Mr. Justice Van Devanter.

William N. Garland, Plaintiff in Error. vs. The State of Washington. — In Error to the Supreme Court of the State of Washington.

226

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

Samuel W. Curriden, Appellant, vs. Frank L. Middleton, Henry S. Blackmore and William C. Orr. — Appeal from the Court of Appeals of the District of Columbia.

152

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was ar-

It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

George N. Holt, doing business as George N. Holt & Co., Appellant, vs. Norvell L. Henley, Trustee; The Peninsula Bank of Williamsburg, Virginia, et al. — Appeal from the United States Circuit Court of Appeals for the Fourth Circuit.

229

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Virginia, for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes.

390 The People of Porto Rico, Plaintiff in Error, vs. Benicio Ramos. In Error to the District Court of the United States for Porto Rico

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the courts of Porto Rico.

Per Mr. Justice McKenna

216 Chicago, Milwaukee & St. Paul Railway Co., Plaintiff in Error, vs. C. B. Kennedy. In Error to the Supreme Court of the State of South Dakota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said

consistent with the opinion of this Court.
Per Mr. Chief Justice White.

W. Schneider Wholesale Wine & Liquor Co., Appellant, vs. August Diederich

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit

243.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

Thomas May, Jr., Joseph A. Burres and Albert Meints, Plaintiffs in Error, vs. The People of the State of Illinois for the use of Edward Gobin, who sues by Elizabeth Gobin, his next friend

In Error to the Supreme Court of the State of Illinois.

262.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by

here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

311. Mrs. Carmelite Pons, wife of George A. Lougue, vs. Plaintiff in Error. Yazoo & Mississippi Valley Railroad Co., and Hunter C. Leake. In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

Ex parte: In the matter of Adolph Grimsinger. Petitioner. Original

On consideration of the motion for leave to file an amended petition for a writ of habeas corpus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

Seaboard Air Line Railway,
652. vs. Plaintiff in Error,
J. M. Pace Mule Co.

It is ordered by the Court that this cause be placed on the summary docket.

Per Mr. Chief Justice White.

George W. Norton, as Executor, etc.,
868. vs. Appellant,
Robert B. Whiteside et al.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

William R. Hopkins, F. W. Bruch, George Reeves et al.,
912. vs. Petitioners.
A. Louisa M. Gilbert, and Ida Isabella K. Gilbert, heirs at law of Lyman W. Gilbert, deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court

argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr Chief Justice White

913. W. R. Hopkins. vs. A. Louisa M. Gilbert and Ida Isabella K. Gilbert, heirs at law of Lyman K. Gilbert, deceased, et al.

Petitioner, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

915. Compagnie Generale Transatlantique. vs. Laura Rivers

Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and

as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

The Victor American Fuel Co.
vs. Petitioner.
917. Frank Peccarich

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

The Chief Justice announced that the Court will take a recess from Monday, the 23d instant to Monday, April 6, next.

Stone, Sand & Gravel Co. et al.
vs. Plaintiffs in Error.
302. The United States.

On motion of Mr. Solicitor General Davis, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions

524 The Linn & Lane Timber Co., et al., Appellants, vs. The United States. On motion of Mr. Solicitor General Davis of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, continued.

526 Southern Railway Co., Plaintiff in Error, vs. D. R. Crockett. The motion to dismiss or affirm in this cause or to place the same on the summary docket was submitted to the consideration of the Court on printed arguments by Mr. James A. Fowler in support of the same, and Mr. L. E. Jeffries in opposition thereto.

276, 291, 292, 297, 298. The International Harvester Co. of America, Plaintiff in Error, vs. The Commonwealth of Kentucky. On motion of Mr. Edgar A. Bancroft, of counsel for the plaintiff in error, It is ordered by the Court that these cases be, and the same are hereby, passed, subject to the provisions of section 9, rule 26.

	The Pennsylvania Railroad Company,		The suggestions of diminution of the records and motions for writs of certiorari in these cases were submitted to the consideration of the Court by Mr. A. L. Cole and Mr. A. M. Liveright in support of the same, and leave was
772	vs.	Plaintiff in Error,	
	Sinnman Shaft Coal Co.		
	The Pennsylvania Railroad Company,		
773	vs.	Plaintiff in Error,	
	Stineman Coal Mining Co.		
	The Pennsylvania Railroad Company,		
771	vs.	Plaintiff in Error,	
	Clark Brothers Coal Mining Co.		

granted counsel for the plaintiff in error to file opposition thereto within two days.

	The State of Arkansas,		Mr. Carruthers Ewing, of counsel for the complainant, submitted to
6, Original.	vs.	Complainant,	
	The State of Tennessee.		

the consideration of the Court a motion to fix a day for the argument of the motion to have the principles for the ascertainment of the boundary line, etc., settled, and on motion of Mr. Carruthers Ewing, leave was granted to file replication thereto.

	Smith Incandescent Light Co.,		The petition for a writ of certiorari herein was submitted to the con-
931.	vs.	Petitioner.	
	Welsbach Gas Lamp Co.		

sideration of the Court on printed argument

by Mr. J. D. Mervin in support of the same, and Mr. C. B. Byrnes in opposition thereto.

William B. Bosley et al., Appellants, vs. John P. McLaughlin, Labor Commissioner, &c., et al. 904 & 905

Mr. Frederick S. Tyler, in behalf of counsel for the appellants, submitted to the consideration of the Court a motion to advance these cases.

Ennis Water Works, Plaintiff in Error, vs. City of Ennis 303.

On motion of Mr. Jack Beall, of counsel for the plaintiff in error,

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

The Northern Trust Co., as Trustee, etc., Plaintiff in Error, vs. The People of the State of Illinois 415.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. P. J. Lucey and Mr. Silas H. Strawn in support of the same, and by Mr. Samuel Alschuler and Mr. Charles N. Holden in opposition thereto.

836 Choy Gum, alias Lo King, Appellant, vs. Samuel W. Backus, Commissioner of Immigration, Port of San Francisco. Appeal from the District Court of the United States for the Northern District of California

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

837 Leong Toe, Appellant, vs. Samuel W. Backus, Commissioner of Immigration, Port of San Francisco. Appeal from the District Court of the United States for the Northern District of California

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Monday, March 16th. 1914, continued

	Bluefields Steamship Co. Limited; United Fruit Co.; Charles Weinberger et al.,	Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.
246	vs. Appellants,	
	Frederick M. Steele, Adolph Segal, Emanuel Steinhardt et al.	

It appearing to the Court that a motion of counsel for the appellants to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

	Hyman, Hiller & Co., Limited,	In Error to the Supreme Court of the State of Louisiana.
300	vs. Plaintiff in Error,	
	Philip Vieth	

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Margarita Oyanguren, heir of Nicholas Oyanguren,

811. vs. Appellant,

Ana Luisa and Ana Teresa Orama, by her guardian ad litem Eugenio Benitez Castano.

Appeal from the Supreme Court of Porto Rico.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed. Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

F. F. Green,

285 vs. Appellant,

The Menominee Tribe of Indians in Wisconsin et al.

Appellees.

The argument of this cause was concluded by Mr. Assistant Attorney General Thompson, of counsel for the appellees.

Citizens Banking Co.,

285. vs.

Ravenna National Bank of Ravenna, Ohio, et al.

This cause was argued by Mr. G. Ray Craig, of counsel for the Citizens Banking Company, and by Mr.

Bank of Ravenna, Ohio, et al.

Carondelet Canal & Navigation Co. Plaintiff in Error,
vs.
The State of Louisiana

The argument of this cause was commenced by Mr Edgar H. Farrar, of counsel for the plaintiff in error, and continued by Mr. R. G. Pleasant, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Tuesday, March 17th. 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Charles E Townsend, it is ordered that Silas B. Spier, Esquire, of Mount Clemens, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Edwin W. Sims, it is ordered that Albert Gaylord Welch, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

behalf by Mr. T. L. Jeffords, it is ordered that Harry B. Amey, Esquire, of Island Pond, State of Vermont, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Southern Pacific Co., Corvallis & Eastern Railroad Co. and Independence & Monmouth Railway Co.,
vs. Appellants,
The United States, Interstate Commerce Commission and Oregon and Washington Lumber Manufacturers Association

Appeal from the United States Commerce Court.

518.

This cause having been called to the attention of the Court by Mr. A. A. Hochling, Jr., of counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice White.

304 The National Discount Co. vs. John S. Sheppard, Jr., Trustee, etc. Appellant. On motion of Mr. S. C. Swayman, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of section 7, rule 16.

307. P. A. Carlson, vs. The State of Washington ex rel. Charles P. Curtiss Plaintiff in Error. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Cowin S. Shank, of counsel for the plaintiff in error. No appearance was entered for the defendant in error.

308. The Southwestern Telegraph & Telephone Co., vs. Mrs. Adelia P. Danaher. Plaintiff in Error This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles T. Coleman, of counsel for the plaintiff in error, and by Mrs. Adelia P. Danaher pro se.

310. Charles R. Fahrinyer. vs. The State of Wisconsin Plaintiff in Error. In Error to the Supreme Court of the State of Wisconsin.

its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice White

Carondelet Canal & Navigation Co.,
vs. Plaintiff in Error,
298. The State of Louisiana

The argument of this cause was continued by Mr K. C. Pleasant, of counsel for the defendant in error, and concluded by Mr. Edgar H. Farrar, of counsel for the plaintiff in error.

Tennessee Coal, Iron & Railroad Co.,
vs. Plaintiff in Error,
299. Wiley George,

This cause was argued by Mr Alexander W. Smith, of counsel for the plaintiff in error, and by Mr. Reuben R. Arnold, of counsel for the defendant in error.

Louis Elie Joseph Henry de Galard de Brassac de Bearn, Count and Prince, etc.,
vs. Appellant,
301. Safe Deposit & Trust Co. of

The argument of this cause was commenced by Mr. George Holt of counsel for the appel-

Tuesday, March 17th. 1914; continued

ued by Mr. Charles McH. Howard of counsel for the appellees.

Proclamation being made, the Court is adjourned

Wednesday, March 18th. 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frank B. Brandegee, it is ordered that Christopher L. Avery, Esquire, of Groton, Michael Kenealy, Esquire, of Stamford, and Charles B. Waller, Esquire, of New London, State of Connecticut, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

315. Frank D. Bartlett, Appellant, vs. W. A. Arnold, Sheriff of Milwaukee County, Wisconsin. Appeal from the District Court of the United States for the Eastern District of Wisconsin.

regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

317. Louisville & Nashville Railroad Co., vs. Ohio Valley Ice Co. Plaintiff in Error. In Error to the Court of Appeals of the State of Kentucky.

It appearing to the Court that a motion of counsel for the the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

320. The Choctaw, Oklahoma & Gulf Railroad Co., vs. John A. Harrison, Sheriff, &c. Appellant. It is ordered by the Court that this cause be, and the same is hereby passed, subject to the provisions of section 7, rule 21.

301 Louis Elie Joseph Henry de Galard de Brassac de Beam, Count and Prince, &c vs. Appellant. Safe Deposit & Trust Co. of Baltimore, et al. The argument of this cause was continued by Mr. Charles McH. Howard, of counsel for the appellee, and concluded by Mr Maurice Léon, of counsel for the appellant.

303. The San Joaquin & Kings River Canal & Irrigation Co., Incorporated. vs. Appellant. The County of Stanislaus in the State of California et al. This cause was argued by Mr. Edward F. Treadwell, of counsel for the appellant, and by Mr James P. Langhorne, of counsel for the appellees.

304. Melzger Motor Car Co., vs. Plaintiff in Error, John W. Parrott. The argument of this cause was commenced by Mr. Henry L. Lyster, of counsel for the plaintiff in error, and continued by Mr. Silas B. Spier, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Thursday, March 19th. 1914.

Pursuant to adjournment, this Court met today at the Capitol.

Present:

The Honorable Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes Associate
Willis Van Devanter Justices
Joseph R Lamar
Mahlon Pitney.
J. M. Wright. Esquire, Marshal.
James D Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles J. Williamson, it is ordered that Rudolph W. Bishop and Samuel N. Acker, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tracy L. Jeffords, it is ordered that Bishop N. Schreiber, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

half by Mr. Preston C. West, it is ordered that John N. Brennan, Esquire, of Bartlesville, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. Charles Henry Butler, it is ordered that George Ingalls Woolley, Esquire, of Brooklyn, and Jacob A. Cantor, Esquire, of New York City, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James R. Mann, it is ordered that Harry Charles Levinson and Adolph J. Sabath, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

The Louisville & Nashville Railroad Co., Plaintiff in Error,
321. vs.
Joe Higdon, doing business under the firm-name of Crescent Coal Co.

This cause was submitted to the consideration of the Court on the printed record with leave to counsel to file briefs.

325 Henry J. Grannis. vs. Plaintiff in Error, Albert L. Ordean et al. 311

326 Henry J. Grannis. vs. Plaintiff in Error. Robert B. Whiteside et al

It is ordered by the Court that these cause be, and the same are hereby, passed, subject to the provisions of section 7, rule 26.

327 Missouri Pacific Railway Co., vs. Appellant, The City of Omaha. 381.

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 7, rule 26.

328. T. B. Coppage, vs. Plaintiff in Error, The State of Kansas 313

On motion of Mr William N. Thompson, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 7, rule 26.

309. Metzger Motor Car Co., vs. Plaintiff in Error. John W. Parrott. 314.

The argument of this cause was continued by Mr. Silas B. Spier, of counsel for the defendant in error, and concluded by Mr. Henry L. Lyster, of counsel for the plaintiff in error.

Juan A. Monagas et al.,
vs. Appellants,
Juliana Maria Albertucci
Alvarez, widow, etc.

It is ordered by the Court that this cause be, and the same is hereby, passed,

subject to the provisions of section 7. rule 24.

Schmidt & Story et al.,
vs. Plaintiffs in Error,
The Bank of Commerce.

This cause was argued by Mr. Francis E. Wood, of counsel for the plaintiffs in error, and Mr. N. M. Doughety, of counsel for the defendant in error.

The Kansas City South
ern Railway Co.,
vs. Plaintiff in Error,
The Kaw Valley Drainage
District of Wyandotte County,
Kansas.

The Kansas City Terminal
Railway Co.
vs. Plaintiff in Error,
The Kaw Valley Drainage Dis-
trict of Wyandotte County,
Kansas.

The argument of these cases was commenced by Mr. Samuel W. Moore, of counsel for the plaintiffs in error.

Proclamation being made, the Court is ad

Friday, March 20th, 1914

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Joseph McKenna
Oliver Wendell Holmes,
William R. Day
Charles E. Hughes Associate
Willis Van Devanter Justices,
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles S. Thomas, it is ordered that Edward S. Letts, Esquire, of Denver, and Barney L. Whalley, Esquire, of Breckenridge, State of Colorado, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Joseph J. Russell, it is ordered that Arthur Thomas Dumm, Esquire, of Jefferson City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

half by Mr. Joseph W. Bailey, it is ordered that Norman K. Haskell, M. K. Bruce, and Henry G. Snyder, Esquires, of Oklahoma City, State of Oklahoma, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

329 Louisiana Railway & Navigation Co., vs. Martin Behrman, Mayor of the City of New Orleans. Plaintiff in Error. It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

330 Charles W. Dale et al., Trustees, &c., vs. Edward M. Pattison Appellants. It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

333. Western Life Indemnity Co. of Illinois, vs. Clarence Rupp Plaintiff in Error It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

Nancy Neron Longpré et al.
3314 vs. Plaintiffs in Error.
Clemente Diaz y Quinones

It is ordered by the Court that this cause be, and the same is hereby, continued

Martha Adkins,
3315. vs. Plaintiff in Error.
Henry C. Arnold et al.

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

George Washington.
336. vs. Plaintiff in Error.
Charles W. Miller

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, rule 26.

The Kansas City Southern Railway Co.
313 vs. Plaintiff in Error.
The Kaw Valley Drainage District of Wyandotte County, Kansas
The Kansas City Terminal Railway Co.,
314 vs Plaintiff in Error.
The Kaw Valley Drainage District of Wyandotte County, Kansas

The argument of these cases was continued by Mr. Samuel W. Moore, of counsel for the plaintiffs in error, and Mr. Thomas A. Pollock, of counsel for the defendants in error, and

Samuel W. Moore, of counsel for the plaintiffs in error.

The Kansas City Southern Railway Co.,		This cause was argued by Mr. Samuel W. Moore, of counsel for the plaintiff in error.
319	vs. Plaintiff in Error.	
Jacob Anderson.		

No counsel appeared for the defendant in error.

The City of Sault Ste. Marie et al.,		This cause was argued by Mr. John W Shine, of counsel for the appellants, and Mr. Henry E. Bodman,
323	vs. Appellants,	
International Transit Co.		

of counsel for the appellee.

Louisville & Nashville Railroad Co.,		This cause was argued by Mr. Gregory L. Smith, of counsel for the appellant, and Mr. Rush Taggart,
337	vs. Appellant,	
The Western Union Telegraph Co.		

of counsel for the appellee.

Proclamation being made, the Court is adjourned

Monday, March 23d, 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.

J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that W. Clayton Carpenter, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Miller Kenyon, it is ordered that John C. Gadsden, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Tracey L. Jeffords, it is ordered that Warren R. Austin, Esquire, of St. Albans, State of Vermont, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. James Hamilton Lewis, it is ordered that Charles Francis Clyne, Esquire, of Aurora, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred P. Thom, it is ordered that John Norment Powell, Esquire, of Wytheville, State of Virginia, and Robert Burrow, Esquire, of Bristol, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Preston C. West, it is ordered that C. Edward Wright, Esquire, of Whitefield, State of New Hampshire, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Sidney S. Schuyler, John R. Chadwick, and Charles L. Burnham, co-partners, trading under the firm name and style of Schuyler, Chadwick & Burnham,

213 vs. Appellants,

Charles E. Littlefield, as Trustee in Bankruptcy of A. O. Brown & Company.

Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Lamar.

Carl Eberle and Stephen N. Carroll,

164 vs. Plaintiffs in Error.

The People of the State of Michigan.

In Error to the Supreme Court of the State of Michigan

This cause came on to be heard on the tran-

script of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

The Santa Fe Central Railway Co. and W. S. Hopewell and Thomas P. Gable, its sureties, vs. Harry Slocum Friday, by John H. Friday, his next friend.

In Error to the Supreme Court of the Territory of New Mexico.

230 Plaintiffs in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of New Mexico. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of New Mexico.

Per Mr. Justice Holmes.

Missouri, Kansas & Texas Railway Co., National Surety Co., and American Surety Co. of New York.

696 vs. Plaintiffs in Error.

Ivolue B. West.

In Error to the Supreme Court of the State of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice McKenna

Richard G. Riley,

225. vs. Plaintiff in Error.

Commonwealth of Massachusetts.

In Error to the Superior Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

David J. Stewart, Plaintiff in Error, vs. The People of the State of Michigan — In Error to the Supreme Court of the State of Michigan.

No. 354

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice White.

The State of Arkansas, Complainant, vs. The State of Tennessee — Original. No. 6.

On consideration of the motion of counsel for complainant to fix a day for the argument of a motion to settle the principles by which the boundary line between complainant and defendant is to be ascertained, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the motion assigned for hearing on Monday, April 13th next, after the case heretofore assigned for that day.

William B. Bosley et al.,
904 & 905. vs. Appellants,
John P. McLaughlin, Lab. Commissioner of the State of California, et al

On consideration of the motion to advance these cases, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

per Mr. Chief Justice White

The Pennsylvania Railroad Company,
772 vs. Plaintiff in Error,
Sonman Shaft Coal Co.
The Pennsylvania Railroad Company,
773 vs. Plaintiff in Error,
Stineman Coal Mining Co.
The Pennsylvania Railroad Company,
774. vs. Plaintiff in Error.
Clark Brothers Coal Mining Co.

On consideration of the suggestions of diminution of the records and motions for writs of certiorari in these cases, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said motions be, and the same are hereby, granted, and that the additional parts of the transcripts of records in the Supreme Court of the State of Pennsylvania presented by the defendants in error be taken and stand as returns to the writs of certiorari hereby granted.

936 Southern Railway Co., Plaintiff in Error, vs. D. E. Crockett. It is ordered by the Court that this cause be placed on the summary docket.

Per Mr. Chief Justice White.

931 Smith Incandescent Light Co., Petitioner, vs. Welsbach Gas Lamp Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Order.

It is now here ordered by the Court that the cases heretofore placed on the summary docket be, and the same are hereby, assigned for argument on Monday, April 6th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

Ex parte: In the matter of G. and C. Merriam Co., Petitioner. Original.

Mr. W. B. Hale of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus in this cause.

600 Norfolk & Western Railway Co., Plaintiff in Error, vs. William G. Conley, Attorney General, etc., et al.

Mr. A. A. Lilly, of counsel for the defendants in error, submitted to the consideration of the Court a motion to advance this cause

2, Original. Commonwealth of Virginia, Complainant, vs. State of West Virginia

The motion for leave to file a supplemental answer herein was submitted to the consideration of the Court on printed arguments by Mr. A. A. Lilly, Mr. V. B. Archer, Mr. Charles E. Hogg, and Mr. John N. Holt in support of the same; and by Mr. John Garland Pollard, Mr. William A. Anderson, Mr. Randolph Harrison and Mr. John B. Moon, of counsel for the complainant, and Mr. Holmes Conrad and Mr. Danford Robinson, of counsel for the bondholders, in opposition thereto.

935 Havana Central Railroad Co., vs. Petitioner. Central Trust Co. of New York. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Herbert A. Keyn in support of the same, and Mr. Lewis N. Freedman in opposition thereto.

531 The Louisville & Nashville Railroad Co., vs. Plaintiff in Error, Caleby Woodford et al The motion for leave to file an additional record and the motion to dismiss in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Robert B. Franklin in support of the same, and Mr. Charles H. Moorman, Mr. B. D. Warfield and Mr. Henry L. Stone in opposition thereto.

811 Antonio Balasquide Gomez, vs. Appellant. Enrique Camacho, etc. The motion to affirm or to place this cause on the summary docket was submitted to the consideration of the Court on printed arguments by Mr. Frederic D. McKenney, Mr. John Spalding Flannery, Mr. William Hitz and Mr. Francis N. Dexter in support of the

Mr Hugo Kohlmann on opposition th

928. Frank Sullivan, Petitioner. vs. The United States. The petition fo of certiorari su submitted to th eration of the C printed arguments by Mr. J. P. Cox in su of the same, and Mr. Assistant Attorney Wallace in opposition thereto.

929. J. D. Lankford, et al., &c., Appellants, vs. Platte Iron Works Co. Mr. Evans in behalf of sel, submitte the consideri the Court a motion to advance this cause

887 Clinchfield Coal Corporation, Plaintiff in Error. vs. R. L. Maness. The motion miss or aff this cause submitted to th reideration o Court on printed arguments by Mr. Rob Burrow and Mr. Isaac Harr in support the same, and by Mr. John Normant Sa and Mr. John W. Rice in opposition t

737. Lytle Logging & Mercantile Co., Plaintiff in Error vs. C. O. Sandberg. In Error t Supreme C the State Washington

counsel for the plaintiff in error and the defendant in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice White

Proclamation being made, the Court is ad-

Monday, April 6th, 1914

Pursuant to adjournment, the Court met today at the Capitol.

Present.

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General McReynolds, it is ordered that Joseph W. Folk, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that Walter P. Armstrong, Esquire, of Memphis, State of Tennessee; Eugene C. Brokmeyer, Esquire, of Washington, District of Columbia, and John Neville Boyle, Esquire, of

attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Francis T. McDonald, Esquire, of Sault Ste. Marie, State of Michigan, and Claude Pollard, Esquire, of Kingsville, and John Davis, Esquire, of Dallas, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Willon J. Lambert, it is ordered that Hyland P. Stewart, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. C. Floyd, it is ordered that R. E. L. Johnson, Esquire, of Paragould, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James H. Hayes, it is ordered that James D. Sneed, Esquire, of Washington

tice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John D. Works, it is ordered that Miguel Estudillo, Esquire, of Riverside and Andrew M. Strong, Esquire, of Los Angeles, State of California be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas S. Felder, it is ordered that John D. Little, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin Franklin, it is ordered that Frank Christopher Hampson, Esquire, of Iowa City, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Huston Thompson, it is ordered that Marvin B. Rosenberry, Esquire, of Wausau, State of Wisconsin, be admitted to prac-

and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Wickersham, it is ordered that J. N. Cobb, Esquire, of Juneau, Territory of Alaska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

William S. Tuis, William N. McKittrick, The Pacific Surety Co. and The United Surety Co., Plaintiffs in Error, vs. Jeppe Ryan, Thomas C. Ryan and E. B. Ryan. In Error to the Supreme Court of the Territory of Arizona.

184

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Arizona. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona.

205. Samuel Lewis. Petitioner. vs. G. Oliver Frick. United States Immigration Inspector, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Michigan.

Per Mr. Justice Pitney

1158. The Singer Sewing Machine Co., Appellant. vs. Robert C. Brickell, Attorney General of the State of Alabama; C. Brooks Smith, Auditor of the State of Alabama; J. Lee Long et al., composing the State Tax Commission of Alabama, et al. Appeal from the District Court of the United States for the Southern District of Alabama

of the record from the District Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney.

153. El Paso Brick Co., Appellant, vs. John N. McKnight. Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of New Mexico for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Lamar.

American Iron & Steel Manufacturing Co.,
253. vs. Appellant.
Seaboard Air Line Railway and L. Davis Warfield, R. Lancaster Williams and E. C. Duncan, Receivers of the Seaboard Air Line Railway.

On a certificate from the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Lamar.

Wirt Franklin,
553. vs. Plaintiff in Error.
C. S. Lynch and O. A. Simmons.

In Error to the Supreme Court of the State of Oklahoma

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now

that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

The Diamond Coal & Coke Co.,		Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.
192	vs. Appellant.	
The United States of America.		

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Wyoming.

Per Mr. Justice Van Devanter.

The United States,		In Error to the District Court of the United States for the Northern District of Iowa
727	vs. Plaintiff in Error.	
Willis N. Birdsall.		

This cause came on to be heard on the transcript of the record from the District Court

of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Hughes.

728. The United States, Plaintiff in Error, vs. Thomas E. Prentis. In Error to the District Court of the United States for the Northern District of Iowa.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Hughes.

The United States, Plaintiff in Error, vs. Everett E. Van Wert. — In Error to the District Court of the United States for the Northern District of Iowa.

239

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Hughes.

Robert E. Russell, Plaintiff in Error, vs. Charles E. Sebastian — In Error to the Supreme Court of the State of California.

415.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings

524 Union Lime Co., Plaintiff in Error, vs. The Chicago & Northwestern Railway Co., and Eden Independent Lime & Stone Co. In Error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes.

121 Boston & Maine Railroad, Plaintiff in Error, vs. Katharine Hooker. In Error to the Superior Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Superior Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Day.

The Territory of Arizona at the relation and to the use of J. W. Gaines, Tax Collector in and for the County of Cochise, in the Territory of Arizona. Appellant.

vs.

The Copper Queen Consolidated Mining Co.

Appeal from the Supreme Court of the Territory of Arizona.

54

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Arizona

Per Mr. Justice Day.

The United States upon the relation and for the use and benefit of Texas Portland Cement Co., et al.,

vs.

D. C. McCord and National Surety Co. of New York.

On a certificate from the United States Circuit Court of Appeals for the Fifth Circuit.

234

cate from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of the Court that the questions certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice Day.

Archibald Hollerbach and Samuel L. May, partners, doing business as Hollerbach & May, Appellants.
vs. Appeal from the Court of Claims
The United States.

350

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter judgment for the claimants for the damages incurred because of the different character of material found behind the dam than that described in the specifications

The Atchison, Topeka & Santa Fe Railway Co.,		In Error to the Supreme Court of the State of Oklahoma.
430 vs.	Plaintiff in Error.	
C. E. Robinson		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Day.

Dissenting:
Mr. Justice Pitney.

Atchison, Topeka & Santa Fe Railway Co.,		In Error to the Supreme Court of the State of Oklahoma.
431 vs.	Plaintiff in Error.	
N. F. Moore, C. E. Robinson and S. N. Smith		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now

that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Day.

Dissenting:
Mr. Justice Pitney.

816 Annie Myers, Petitioner, vs. Pittsburgh Coal Co. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs, and that the judgment of the District Court of the United States for the Western District of Pennsylvania in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Pennsylvania. It is further ordered that this cause be, and the same is hereby, re-

N. L. Herbert,
Plaintiff in Error.
vs.
Henry Bickwell, William Henry, and William Henry, Secretary of the Benton G. Mining Co.

In Error to the Supreme Court of the Territory of Hawaii.

269

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs

Per Mr. Justice Holmes.

The Kansas City Southern Railway Co.,
Plaintiff in Error.
vs.
The Kaw Valley Drainage District of Wyandotte County, Kansas.

In Error to the Supreme Court of the State of Kansas.

313

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in

with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Holmes.

The Kansas City Terminal Railway Co.. Plaintiff in Error; vs. The Kaw Valley Drainage District of Wyandotte County, Kansas. In Error to the Supreme Court of the State of Kansas.

311.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Holmes.

Southern Railway Carolina Division and Southern Railway Co.
vs. Plaintiffs in Error
Hattie E. Bennett, Administratrix of the estate of Luther W. Bennett, deceased.

196

In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Kate C. Archer,
vs. Petitioner.
The Greenville Sand & Gravel Co., et al.

271

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this

with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Mississippi with directions to overrule the demurrer and for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice McKenna.

175. John Miller, Appellant. vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice White

309. The Metzger Motor Car Co., Plaintiff in Error, vs. John W. Parrott. In Error to the District Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District

reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice White

Charles Carlesi, alias Charles Carlene, Plaintiff in Error. vs. The People of the State of New York. 674

In Error to the Court of General Sessions of the Peace in and for the County of New York, State of New York.

This cause came on to be heard on the transcript of the record from the Court of General Sessions of the Peace in and for the County of New York State of New York, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of General Sessions in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White

E. A. Browning, Plaintiff in Error. vs. City of Waycross. 234

In Error to the Court of Appeals of the State of Georgia

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Georgia, and was argued by

here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice White

Grand Trunk Western Railway Co.,		In Error to the United States Circuit Court of Appeals for the Seventh Circuit.
1125	vs. Plaintiff in Error.	
George Lindsay		

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois

per Mr. Chief Justice White

Louis Elie Joseph Henry de Talard de Brassac de Beam, Count and Prince of Beam and Chalais,

301 vs. Appellant,

Safe Deposit & Trust Co. of Baltimore, American Bonding Co. of Baltimore, et al.

Appeal from the District Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

Clinchfield Coal Corporation,

187 vs. Plaintiff in Error,

R. L. Manus.

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the

is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

Commonwealth of Virginia. Complainant.
2. Original vs.
State of West Virginia

On consideration of the motion of the defendant for leave to file supplemental answer herein, It is now here ordered by the Court that the said motion be, and the same is hereby, assigned for argument on Monday, the 13th instant, in connection with the hearing of the case already assigned for that day.

Per Mr. Chief Justice White

Ex parte: In the matter of G. & C. Merriam Co.,
Original Petitioner

On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White

Norfolk & Western Railway Co.,
6.00 vs. Plaintiff in Error.
W. G. Conley, Attorney General, etc., et al.

On consideration of the motion to advance this cause It is now here ordered by the Court that said motion

cause assigned for argument on Tuesday, October 13th next.

Per Mr. Chief Justice White.

924 J. R. Lankford et al., Appellants, vs. Platte Iron Works Co. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

941 Antonio Balasquide Gomez, Appellant, vs. Enrique Camacho, represented by his mother Martina Camacho. On consideration of the motion to place this case on the summary docket, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

928. Frank Sullivan, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the ar-

port of or against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied. 256

per Mr. Chief Justice White.

938. Havana Central Railroad Co., Petitioner. vs. Central Trust Co. of New York. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied. 308.

per Mr. Chief Justice White.

640 Samuel Gompers, John Mitchell and Frank Morrison, Plaintiffs in Error and Appellants. vs. The United States. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument before a full bench, and assigned for Monday, the 20th instant, at the head of the call for that day. 244.

per Mr. Chief Justice White.

The United States, Appellant, vs. Nelson P. Vultee.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument before a full bench, and assigned for Monday, the 20th instant, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

The Southwestern Telegraph & Telephone Co., Plaintiff in Error, vs. Mrs. Adelia S. Danaher

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument before a full bench, and assigned for Monday, the 20th instant, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

Chicago, Rock Island & Pacific Railway Co., Plaintiff in Error, vs. Pine Tree Lumber Co., Limited

In Error to the Court of Appeals for the Second Circuit of Louisiana.

This cause came on to be heard on the transcript of the record from the Court of Appeals for the Second Circuit of Louisiana, and was argued by counsel. On consideration whereof, the Court being equally divided in

judged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White.

The Chief Justice, through Mr. Justice McKenna, announced that the Court would not sit on the 10th instant, it being Good Friday

709. The United States, Petitioner vs. Nipissing Mines Co. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

This cause having been called to the attention of the Court by Mr. Solicitor General Davis, of counsel for the petitioner, and he having moved the Court that the writ of certiorari in this cause be dismissed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of certiorari in this cause be, and the same is hereby dismissed

Per Mr. Chief Justice White

993. Bridget McGovern, Administratrix, &c., Plaintiff in Error vs. Philadelphia & Reading Railway Co. Mr. George Demming, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to

John A. S. Brown et al., &c.,
766 vs. Petitioners.
Austin B. Fletcher et al.

Mr. George Demming, in behalf of Mr. Charles N. Burr, of counsel for the petitioners, submitted to the consideration of the Court a motion to advance this cause.

William Cramp & Sons Ship & Engine Building Co.,
763 vs. Petitioner.
International Curtis Marine Turbine Co., et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James R. Sheffield and Mr. Clifton V. Edwards in support of the same, and by Mr. F. P. Fish and Mr. Charles Neave in opposition thereto.

The State of Arkansas,
Original vs. Complainant,
The State of Mississippi

Mr. W. P. Armstrong, of counsel for the complainant, submitted to the consideration of the Court a motion for leave to file a bill of complaint in this cause.

Henry E. Meeker, surviving partner, &c.,
1000 vs. Petitioner.
Lehigh Valley Railroad Co.

Henry E. Meeker.
1001 vs. Petitioner
Lehigh Valley Railroad Co.

The petition for writs of certiorari herein were submitted to the consideration of the Court by Mr. William A. Glasgow, Jr., and Mr. John A. Garver of counsel for the petitioner, and Mr. Joseph W. Folk and Mr. Charles W. Needham, of counsel for the Interstate Commerce Commission, in support of the same.

Emilie M. Sullowa et al.,
982. vs. Petitioners.
Sarah J. Thurston.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. D. W. Baker, Mr. R. H. Yeaman, Mr. W. J. Lambert and Mr. F. S. Bright in support of the same, and by Mr. Fulton Lewis, and Mr. John Ridout in opposition thereto.

Ex parte: In the matter of Henry H. Evans,
Original. Petitioner.

Mr. John W. Yerkes, in behalf of Mr. Albert J. Hopkins, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus in this cause.

Texas & Pacific Railway Co.,
Plaintiff in Error.
vs.
Wyatt Jones Rasborough et al

947

The motion to dismiss or affirm or to place the cause on the summary docket in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. P. Jones and Mr. William Thompson in support of the same, and by Mr. F. N. Prendergast in opposition thereto.

Moy Guey Lum.
Petitioner.
vs.
The United States.

977

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. N. Ralph Burton in support of the same, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace in opposition thereto.

Thomas W. Sinnott, etc.,
Appellant.
vs.
The Tombstone Consolidated Mines Co. Limited, et al

874

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Evans Browne, Mr. A. B. Browne, Mr. Alexander Britton, Mr. E. E. Ellinwood and Mr. John Mason Ross in support of the same, and Mr. Amos L. Taylor in opposition thereto.

877. Beach Front Hotel Co., Petitioner vs. Richard R. Doty — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edwin G. C. Bleakley, Mr. Henry F. Stockwell, Mr. John W. Westcott and Mr. Gilbert Collins in support of the same, and Mr. Robert H. M'Carter in opposition thereto.

1118. Continental Life Insurance & Investment Co., Plaintiff in Error, vs. I. C. Hattabaugh, as Insurance Commissioner of the State of Idaho. — In Error to the Supreme Court of the State of Idaho.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

13. Original. Ex parte: In the matter of W. L. Roe, Petitioner — This cause was argued by Mr. S. P. Jones, of counsel for the petitioner

Prendergast, of counsel for the respondent.

Rufael Martinez Nadal. vs. David W. May. Plaintiff in Error.

The reargument of this cause was commenced by Mr. N. B. K. Pettingill, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Tuesday, April 7th 1914

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. E. N. Parry, it is ordered that Donald Campbell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Fowler, it is ordered that W. B. Miller, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Murray, it is ordered that R. C. Allen, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Felix Frankfurter, it is ordered that James D. Merriman and Henry Maus, Esquires, of New York City be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that J. B. Ferber, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

130 Rafael Martinez Nadal, Plaintiff in Error, vs. David W. May.

The rearguument of this cause was continued by Mr N. B. K. Pettingill of counsel for the plaintiff in error, and Mr. Felix Frankfurter, of counsel for the defendant in error, and concluded by Mr. N. B. K. Pettingill, of counsel for the plaintiff in error.

873 The United States. vs. Appellant. First National Bank of Detroit, Minn.

874 The United States. vs. Appellant. The Nichols-Chisolm Lumber Co.

875 The United States. vs. Appellant. The Nichols Chisolm Lumber Co.

These cases were argued by Mr. Solicitor General Davis, of counsel for the appellant, and by Mr. Ransom J. Powell, of counsel for the appellees.

1, Original. The State of Georgia, Complainant, vs. The Tennessee Copper Co., et al.

The argument of the motion to enter a final decree in this cause against the Ducktown Sulphur, Copper & Iron Company, Limited, was commenced by Mr. Thomas S. Felder, of counsel for the complainant, and continued by Mr. James A. Fowler, of counsel for the Ducktown Sulphur, Copper & Iron Company, Limited.

Proclamation being made, the Court is announced

Wednesday, April 8th, 1914

Pursuant to adjournment, the Court met to-day at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James A. Fowler, it is ordered that Merritt Lane, Esquire, of Jersey City, State of New Jersey, and Philip Rubenstein, Esquire, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paca Oberlin, it is ordered that James T. Garfield T. Findlay, Esquire, of Washington, District of Columbia, be

counsellor of this Court, and he was sworn accordingly.

802. W. E. Johnson et al., Appellants, vs. Edwin Gearlds et al. On motion of Mr. Assistant Attorney General Wallace, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, the 27th instant

1, Original. The State of Georgia, Complainant, vs. The Tennessee Copper Co. et al. The argument of the motion to enter a final decree in this cause against the Ducktown Sulphur, Iron and Copper Company was continued by Mr. James A. Fowler, of counsel for the Ducktown, Sulphur, Copper and Iron Company, and concluded by Mr. Thomas S. Felder, of counsel for the complainant.

714. O. Stow et al., Plaintiffs in Error, vs. The United States. This cause was argued by Mr. Assistant Attorney General Adkins, of counsel for the defendant in error, and submitted on the record and a printed argument by Mr. J. H. Cobb, of counsel for the plaintiffs in error.

746	Ambrosio Apaspas et al. vs. Plaintiffs in Error. The United States	This cause was argued by Mr. Miguel Estudillo, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Adkins, of counsel for the defendant in error.
829	The United States et al., vs. Appellants, Louisiana & Pacific Railway Co., et al. Atchison, Topeka & Santa Fe Railway Co. et al.,	It is ordered by the Court that seven and one quarter hours be allowed for the argument of these cases. The argument of these cases was commenced by Mr. Blackburn Esterline, of counsel for the United States, and continued by Mr. Robert Dunlap, of counsel for the Atchison, Topeka & Santa Fe Railway Company et al.
830	vs. Appellants, Louisiana & Pacific Ry Co. et al. The United States et al.,	
831	vs. Appellants, Woodworth & Louisiana Central Railway Co. et al. Atchison, Topeka & Santa Fe Railway Co., et al.,	
832	vs. Appellants, Woodworth & Louisiana Central Railway Co. et al. The United States et al.,	
833	vs. Appellants. Mansfield Railway & Transportation Co., et al. Atchison, Topeka & Santa Fe	

Mansfield Railway &
Transportation Co., et al
The United States et al..
835 vs. Appellants.
Victoria, Fisher & Western
Railroad Co. et al.
Atchison, Topeka & Santa
Fe Railway Co., et al..
836. vs. Appellants.
Victoria, Fisher & Western
Railroad Co. et al.

Proclamation being made, the Court is ad-

Thursday, April 9th, 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices

J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that William G. Davisson, Esquire, of Parsons, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John D. Works, it is ordered that Paul A. McSherrin, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Glasgow, Jr., it is ordered that E. S. McCord, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Raker, it is ordered that John L. Childs, Esquire, of Crescent City, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Luther M. Walter, it is ordered that George P. Boyle, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. K. Culwell, it is ordered that John Wuthe, Esquire, of Galveston, and R. W. Kearney, Esquire of Fort Worth, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert Noble, it is ordered that Dabney C. J. Davis, Jr., Esquire, of Charleston, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he

On motion first made to the Court in this behalf by Mr. John W. Kern, it is ordered that Paxton Nibbe, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

829 The United States et al., Appellants, vs. Louisiana & Pacific Railway Co., et al.
Atchison, Topeka & Santa Fe Railway Co., et al., Appellants,
830 vs. Louisiana & Pacific Railway Co. et al.
The United States et al., Appellants,
831 vs. Woodworth & Louisiana Central Railway Co. et al.
Atchison, Topeka & Santa Fe Railway Co., et al., Appellants,
832 vs. Woodworth & Louisiana Central Railway Co. et al.
The United States et al., Appellants,
833 vs. Mansfield Railway & Transportation Co. et al.
Atchison Topeka & Santa

The argument of these cases was continued by Mr Luther M. Walter of counsel for the appellees; by Mr. William M. Barrow, of counsel for the Railroad Commission of Louisiana; by Mr. N. M. Garwood, of counsel for the appellees; by Mr James L. Coleman, of counsel for the Atchison, Topeka & Santa Fe Railway Company et al., and by Mr Charles W. Needham, of counsel for the Interstate Commerce Commission.

Thursday, April 9th, 1914. continued

Mansfield Railway &
Transportation Co., et al.
The United States et al.,
835 vs Appellants.
Victoria, Fisher & Western
Railroad Co., et al.
Atchison Topeka & Santa
Fe Railway Co., et al,
836 vs Appellants.
Victoria, Fisher, & Western
Railroad Co., et al.

Proclamation being made, the Court is adjourned

Monday, April 13th. 1914.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that E. B. Wilson, Esquire, of New York City and R. P. Congdon, Esquire, of Los Angeles, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. D. Post, it is ordered that Ralph S. Holbrook, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn

On motion first made to the Court in this behalf by Mr. John Garland Pollard, it is ordered that R. A. T. Adams, Jr., Esquire, of Lynchburg, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julius Kahn, it is ordered that A. A. Moore, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert W. Biggs, it is ordered that Frank M. Thompson, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. O. Henderson, it is ordered that William B. Stewart, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton W. Shreve, it is ordered that

be admitted to practice as an attorney and counsellor of this Court. and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John D. Works. it is ordered that Twain Michelson. Esquire. of San Francisco. State of California. be admitted to practice as an attorney and counsellor of this Court. and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry F. Woodard. it is ordered that S. W. Fitz Gerald. Esquire. of Fort Rodman. State of Massachusetts. be admitted to practice as an attorney and counsellor of this Court. and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Rubenstein. it is ordered that Timothy Howard. Esquire. of North Brookfield. State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Justin M. Chamberlin, it is ordered that J. M. Carlisle. Esquire. of Washington. District of Columbia, be admitted to practice as an attorney and counsellor of this Court. and he was

On motion first made to the Court in this behalf by Mr. John N. Holt, it is ordered that Henry Clay Duncan, Jr., Esquire, of Huntington and Wyndham Stokes, Esquire, of Welch, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

299 Tennessee Coal, Iron & Railroad Co., vs. Wiley George. Plaintiff in Error. In Error to the Court of Appeals of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

Dissenting:
Mr. Justice Holmes.

206 Laura G. White, vs. Island Transportation Co. Appellant. Appeal from the District Court of the United States for the Western District of Washington.

of the record from the District Court of the United States for the Western District of Washington, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Van Devanter

Anthony Furnuqua
vs. Plaintiff in Error.
Philadelphia & Reading Railway Co.

In Error to the District Court of the United States for the Eastern District of Pennsylvania

823

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Van Devanter

Chicago, Milwaukee & St. Paul Railway Co.,
vs Plaintiff in Error.
The State of Iowa.

In Error to the Supreme Court of the State of Iowa.

174

This cause came on to be heard on the tran-

of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes.

278. The Hammond Packing Co. Plaintiff in Error. vs. The State of Montana. In Error to the Supreme Court of the State of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

249. E. A. O'Sullivan. Plaintiff in Error. vs. Paul Felix and William W. Stiles. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration

by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Louisiana.

Per Mr. Justice McKenna

The Kansas City Southern Railway Co.,
vs. Plaintiff in Error.
Jacob Anderson.

314

In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

Dissenting:
Mr. Justice Holmes
Mr. Justice Lamar

The Northern Trust Co.,
as Trustee, etc.,
vs. Plaintiff in Error.
The People of the State of Illinois

415

In Error to the Supreme Court of the State of Illinois

script of the record from the Supreme Court of on motion to dismiss or affirm which
of the State of Illinois, and was argued by
counsel. On consideration whereof, It is now
here ordered and adjudged by this Court that
the writ of error in this cause be, and the same
is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

Thomas W. Symnott, a creditor, individually and as the duly authorized Attorney for and Agent of, Alexander Sedgwick and Merrill K. Grow. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

874 vs. Appellant.

The Tombstone Consolidated Mines Co., Limited, bankrupt, and A. L. Grow, as Trustee in bankruptcy, etc.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

Monday, April 13th, 1914, continued.

1000. Henry E. Meeker, Surviving Partner of the firm of Meeker & Company, Petitioner, vs. Lehigh Valley Railroad Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, it is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

1001. Henry E. Meeker, Petitioner, vs. Lehigh Valley Railroad Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, it is now here ordered by this Court that the said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White.

Ex parte: In the matter of Henry H. Evans, Petitioner. Original. On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

The State of Arkansas, Complainant. vs. The State of Mississippi. 14, Original. On consideration of the motion for leave to file a bill of complaint herein, It is now here ordered by the Court that the said motion be, and the same is hereby granted, and that process issue against the defendant, returnable on the first day of the next term of this Court.

per Mr. Chief Justice White.

John A. S. Brown et al., Petitioners. vs. Austin B. Fletcher, Testamentary Trustee, &c. 766. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice White.

Bridget McGovern.
Administratrix, etc.,
893 vs. Plaintiff in Error.
Philadelphia & Reading
Railway Co.

It is ordered by the Court that this cause be placed on the summary docket.

per Mr. Chief Justice White

Texas & Pacific Railway Co.,
899 vs. Plaintiff in Error.
Wyatt Jones Rosborough et al.

On consideration of the motion to place this cause on the summary docket, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

per Mr. Chief Justice White

Beach Front Hotel Co.,
877 vs. Petitioner.
Richard R. Doody.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

Monday. April 13th. 1914. continued.

963. William Cramp & Sons Ship & Engine Building Co. Petitioner vs. International Curtis Marine Turbine Co. and Curtis Marine Turbine Co. of United States

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

977. Moy Guey Lum, Petitioner vs. The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

Emilie M. Bullowa, and Willen J. Lambert and Daniel W. Baker, Co-partners, as Lambert & Baker, Petitioners.
vs.
Sarah J. Thurston.

On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

The State of Georgia, Complainant,
vs.
The Tennessee Copper Co. and The Ducktown Sulphur, Copper & Iron Co., Limited

Original.

On consideration of the motion of counsel for the complainant to enter a final decree against the defendant, The Ducktown Sulphur, Copper and Iron Company, Limited, and of the argument of counsel thereupon had, as well in support of as against the same,

1. It is now here ordered that the further consideration of said motion be, and the same is hereby, postponed until the next term.

2. It is further ordered by the Court that

said defendant to take additional testimony by depositions, (or by affidavits if the parties consent thereto) to be taken before any officer in the States of Georgia or Tennessee authorized to take depositions by the laws of said States, upon ten days' notice to counsel for the complainant said additional testimony so to be taken to relate solely to the changed conditions, if any, which may have arisen since the case was here decided, said testimony to be concluded on or before the first day of July, 1914.

3. It is further ordered that the complainant may take additional testimony in the same manner, such testimony to be concluded on or before the first day of September, 1914, and all of said testimony, both for said defendant and said complainant, to be filed with the Clerk of this Court on or before September 15, 1914.

Per Mr. Chief Justice White

Leocadio Pajarillo, et al., Plaintiffs in Error;
vs. 1015.
The United States.

Mr. Solicitor General Davis, of counsel for the defendant in error, having filed in open court the following certificate, to wit:

"The United States of America
The Supreme Court of the Philippine Islands.

I, V. Albert, Clerk of the Supreme Court of the Philippine Islands, do hereby certify that

in Leocadio Pajarillo, Juan Pajarillo, Tranquilino Pajarillo and Francisco Orleans were appellants, and The United States was appellee, a final judgment was rendered by said Supreme Court on the thirteenth day of July, A. D. 1911, in favor of the said United States, and against the said Leocadio Pajarillo, Juan Pajarillo, Tranquilino Pajarillo, and Francisco Orleans, and that on the first day of August, A. D. 1911, said Leocadio Pajarillo, Juan Pajarillo, Tranquilino Pajarillo and Francisco Orleans sued out a writ of error to said Supreme Court directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I hereunto subscribe my name and affix the seal of said Supreme Court, at Manila, Philippine Islands, this seventeenth day of September, A D. 1913.

Seal.

V. Albert,
Clerk of the Supreme Court of the Philippine Islands."

moved the Court to docket and dismiss this cause pursuant to the 7th rule. And it appearing to the Court that the parties have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now ordered and adjudged by this Court that the

of the Philippine Islands &c. and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice

per Mr. Chief Justice White

*1018. → See p. 676.

1, Original. The State of North Carolina, Complainant. vs. The State of Tennessee.

On motion of Mr. Frank M. Thompson, of counsel for the defendant, It is ordered by the Court that the cause be, and the same is hereby, assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

36 ½. John N. Clendaniel, Plaintiff in Error, vs. Honorable Henry C. Conrad, Associate Judge of the State of Delaware, et al.

Mr. W. C. Sullivan in behalf of counsel for the defendants in error, suggested the death of John N. Clendaniel, the plaintiff in error in this cause, and moved the Court for an order under the 15th rule to make the proper representatives parties; Whereupon, It is now here ordered by this Court that unless the proper representatives of the said John N. Clendaniel, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the defendants

dismissed; Provided, that a copy of this order shall be printed in some newspaper of general circulation in the State of Delaware for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

Per Mr. Chief Justice White

Ex parte: In the matter of John Dennett, Jr., et al., Petitioners. Original.

Mr. Frederic D. McKenney, in behalf of Mr. William M. Seabury, of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for writs of prohibition and mandamus in this cause.

French Mutual General Society of Mutual Insurance against Theft, Petitioners, vs. The United States Fidelity & Guaranty Co. of Baltimore, Md. 1005

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed argument by Mr. Hyland P. Stewart in support of the same, and Mr. J. Kemp Bartlett and Mr. Edgar Allan Poe in opposition thereto.

Sunday Creek Co., Petitioner vs. 985

The petition for a writ of certiorari herein was

eration of the Court by Mr. William O. Henderson, in support of the same, and leave was granted Mr. Solicitor General Davis to file a brief in opposition thereto within two days.

George B. Taylor, claimant, &c., Petitioner,
vs.
The Cleveland Grain Co.
No. 944.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank S. Masten in support of the same, and Mr. William B. Cady in opposition thereto.

The Hocking Valley Railway Co., Petitioner,
vs.
The United States.
No. 972.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. James N. Hoyt, Mr. Laurence Maxwell and Mr. Clarence Brown in support of the same, and leave was granted Mr. Solicitor General Davis to file a brief in opposition thereto within two days.

M. C. Kiser Co., et al., Petitioners,
vs.
Georgia Cotton Oil Co. et al.
No. 962.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Harold Remington in support of the same.

Monday, April 13th. 1914, continued

	The Kansas City Southern Railway Co. Petitioner vs. George C. Maynor, et al.	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr William Lee Estes and Mr A.L. Burford in support of the same, and Mr. Conn Johnson and Mr. James M. Edwards in opposition thereto.
964	Thomas J. Kemp, Petitioner vs. The United States.	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John E. Laskey and Mr. K. H. Liggett in support of the same, and Mr. Solicitor General Davis in opposition thereto.
889	Franklin K. Lane, Secretary of the Interior, et al. Appellants, vs. Cornelius C. Watts et al.	It is ordered by the Court that leave be and the same is hereby granted Mr. William C. Prentiss to file a brief on this cause as amicus curiae.

379. The United States of America for the use and benefit of Alexander Bryant Co., vs. New York Steam Filling Co. et al. (Plaintiff in Error.)

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Adrian T. Kinnan in support of the same, and Mr. George B. Class in opposition thereto.

365. Roy C. Hecox, as Trustee of the Economic Gold Extraction Co., Bankrupt, vs. The County of Teller, State of Colorado, and Harry Hendrie, Treasurer of said County. Appellant.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, each party paying their own costs.

Per Mr. Chief Justice White.

829	The United States et al., Appellants, vs. Louisiana & Pacific Railway Co., et al. Atchison, Topeka & Santa Fe Railway Co., et al.,	The argument of these cases was concluded by Mr. Charles W. Needham, of counsel for the Interstate Commerce Commission.
830	Appellants, vs. Louisiana & Pacific Railway Co. et al. The United States et al.,	
831	Appellants, vs. Woodworth & Louisiana Central Railway Co. et al. Atchison, Topeka & Santa Fe Railway Co. et al.,	
832	Appellants, vs. Woodworth & Louisiana Central Railway Co. et al The United States et al.	
833	Appellants vs. Mansfield Railway & Transportation Co. et al. Atchison, Topeka & Santa Fe Railway Co. et al.,	
834	Appellants, vs. Mansfield Railway & Transportation Co. et al The United States et al.	
535	Appellants, vs. Victoria, Fisher & Western	

836 The Atchison, Topeka & Santa Fe Railway Co. et al. vs. Victoria, Fisher & Western Railroad Co., et al. Appellants,

837 The United States and Interstate Commerce Commission, vs. Butler County Railroad Co. Appellants.

The argument of this cause was commenced by Mr. Blackburn Esterline, of counsel for The United States; continued by Mr. William A. Glasgow, Jr., of counsel for the appellee, and concluded by Mr Charles W. Needham, of counsel for the Interstate Commerce Commission

838 The United States, vs. Harold A. Foster et al (Plaintiff in Error.

The argument of this cause was commenced by Mr. Assistant Attorney General Wallace, of counsel for the plaintiff in error

*1015 Leocadio Pajarillo et al., vs The United States. (Plaintiffs in Error.

It is ordered by the Court that leave be, and the same is hereby granted the Clerk to issue the mandate in this cause

Proclamation being made, the Court is accordingly

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M. Lurton
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright Esquire, Marshal.
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in their behalf by Mr. Solicitor General Davis, it is ordered that W. N. King, Esquire, of Columbus State of Ohio; R. L. Gregory, Esquire, of Parkersburg, and Leroy Allebach, Esquire, of Charleston, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in their behalf by Mr. N. T. M. Mellen, it is ordered that Leon N. Futter, Esquire, of New York City, be admitted to practice as an attorney and coun-

835. The United States. Plaintiff in Error. vs. Harold A. Foster et al

The argument of this cause was continued by Mr. Assistant Attorney General Wallace, of counsel for the plaintiff in error, and concluded by Mr. Philip Rubenstein, of counsel for the defendant in error.

Original. State of Louisiana. Complainant. vs. William G. McAdoo, Secretary of the Treasury.

The argument of the petition for leave to file the bill of complaint in this cause was commenced by Mr. Ruffin G. Pleasant, of counsel for the complainant; continued by Mr. Solicitor General Davis, of counsel for the respondent, and concluded by Mr. Joseph W. Bailey, of counsel for the complainant.

889 Franklin K. Lane, Secretary, etc., et al., vs. Cornelius C. Watts et al. Appellants.

On motion of Mr. Herbert Noble, of counsel for the appellees, it is ordered by the Court that three counsel be allowed to make oral argument for the appellees in this cause.

The argument of this cause was commenced by Mr. Assistant Attorney General West, of counsel for the appellants, and continued by Mr. Herbert Noble, of counsel for the appellees.

Wednesday, April 15th. 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph M Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Associate Justices

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. N. Garland Dupre, it is ordered, that Robert N. Somerville, Esquire, of Cleveland, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William F. Mattingly, it is ordered, that Lewis T. Cowie, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert W. Biggs, it is ordered that W. N. Harrison, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was accordingly.

889 Franklin K. Lane, Secretary, etc., et al., vs. Cornelius C. Watts et al. Appellants.

The argument of this cause was continued by Mr. G. N. Brouillet and Mr. Joseph W. Bailey, of counsel for the appellees, and concluded by Mr. C. Edward Wright, of counsel for the appellant.

861 Equitable Surety Co. vs. The United States to the use of W. W. McMillan & Son.

This cause was argued by Mr. J. J. Darlington, of counsel for the Equitable Surety Company, and by Mr. Wharton E. Lester, of counsel for The United States to the use of W. W. McMillan & Son.

645 Southern Railway Co., Plaintiff in Error, vs. W. O. Cadd.

This cause was argued by Mr. Carruthers Ewing, of counsel for the plaintiff in error, and Mr. John L. Hunt, of counsel for the defendant in error.

731 Charleston & Western Carolina Railway Co., Plaintiff in Error, vs. Lizzie Thompson.

The argument of this cause was commenced by Mr. F. Barron Grier, of counsel for the plaintiff in error, and continued by Mr. W. A. Fleming, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Thursday, April 16th 1914

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Horace H. Lurton, Associate
Charles E. Hughes, Justices.
Willis Van Devanter,
Joseph R. Lamar,
Mahlon Pitney,
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr James R. Mann, it is ordered that Carl C. Beroth, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph J. Russell, it is ordered that W. Scott Hancock, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Townsend, it is ordered that Julius J. Patek, Esquire, of Ironwood, State of Michigan be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Alabama & Vicksburg Railway Co., et al.. vs. Pearl Morris — 426. Plaintiffs in Error. In Error to the Supreme Court of the State of Mississippi

It appearing to the Court that a motion of counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

Charleston & Western Carolina Railway Co. vs. Lizzie Thompson — 737. Plaintiff in Error. The argument of this cause was continued by Mr. W. H. Fleming, of counsel for the defendant in error, and concluded by Mr. W. K. Miller, of counsel for the plaintiff in error.

652. Seaboard Air Line Railway, Plaintiff in Error, vs. J. M. Pace Mule Co. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Murray Allen, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

826. Southern Railway Co., Plaintiff in Error, vs. D. E. Crockett. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. E. Jeffries, of counsel for the plaintiff in error, and Mr. J. A. Fowler, of counsel for the defendant in error.

2. Original. Commonwealth of Virginia, Complainant, vs. The State of West Virginia. On motion of Mr. John Garland Pollard, of counsel for the complainant, six hours are hereby granted for the oral argument of this cause.

The argument of this cause was commenced by Mr. William A. Anderson, of counsel for the complainant, and continued by Mr. John N. Holt of counsel for the defendant, and Mr. Sanford Robinson, of counsel for the bondholders.

Proclamation being made, the Court is adjourned

Monday, April 17th 1911

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph M Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk

Associate Justices

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Poe, it is ordered that N. R. Elsi, Esquire, of Seattle, State of Washington be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Thomas N. Clark, it is ordered that Horace Wiley Shilbrook, Esquire, of San Francisco, State of California, and John B. Rogers, Esquire, of Watertown, State of New York, be admitted to practice as attorneys and counsellors

On motion first made to the Court in this behalf by Mr. William E. Borah, it is ordered that John J. Blake, Esquire, of Boise, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

177 George E. Bowling et al., Appellants, vs. The United States of America. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John N. Hanklen, of counsel for the appellants, and by Mr. Assistant Attorney General Knaebel and Mr. S. W. Williams, of counsel for the appellee.

160 Manhattan Life Insurance Co. of New York et al., vs. Plaintiffs in Error. David Cohen, Independent Executor, etc. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. J. Mooney, of counsel for the plaintiffs in error, and by Mr. Wilmer S. Hunt, of counsel for the defendant in error.

2, Original. Commonwealth of Virginia, Complainant, vs. State of West Virginia. The argument of this cause was continued by Mr.

of counsel for the bondholders, and Mr. A A Lilly, of counsel for the defendant and concluded by Mr. Randolph Harrison, of counsel for the complainant.

6. Original. No. The State of Arkansas, Complainant. vs. The State of Tennessee.

The argument of this cause was commenced by Mr. Carruthers Ewing, of counsel for the complainant, and continued by Mr. Albert W. Biggs, of counsel for the defendant.

Proclamation being made, the Court is ad-

Monday, April 30th. 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. William J. Murray, it is ordered that William Shaw McCallum, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Timothy T. Ansberry, it is ordered that William N. Dailey, Esquire, of Van Wert, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alton B. Parker, it is ordered that Franklin A. Mills, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jack Beall, it is ordered that David A. Frank, Esquire, of Dallas, and G. C. Groce, Esquire, of Waxahachie, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. A. Barclay, it is ordered that Oscar W. Lange, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that W. J. Kennerly, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that Archibald Waters MacLaren, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James K. Jones, it is ordered that Mike Dandher, Esquire, of Pine Bluff, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Rafael Martinez Nadal
vs. Plaintiff in Error.
David W. May.

In Error to the District Court of the United States for Porto Rico.

130

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Laura Wheeler and Charles P. Rowland, Executors of the last will and testament of Charles C. Tiffany, deceased, Plaintiffs in Error; vs. William Sohmer, Comptroller of the State of New York. In Error to the Surrogates' Court of New York County, State of New York.

45

This cause came on to be heard on the transcript of the record from the Surrogates' Court, of New York County, State of New York, and was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said Surrogates' Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

(Mr. Justice McKenna and Mr. Justice Pitney concur in the result.)

Dissenting:
Mr. Justice Lamar
Mr. Chief Justice White
Mr. Justice Van Devanter.

German Alliance Insurance Co.
vs. Appellant,
Ike Lewis, as Superintendent of Insurance of the State of Kansas.

Appeal from the Circuit Court of the United States for the District of Kansas

120

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Kansas.

per Mr. Justice McKenna.

Dissenting:
Mr. Justice Lamar
Mr. Chief Justice White
Mr. Justice Van Devanter.

[Mr. Justice Lurton was not present when this case was argued and took no part in it.]

Carondelet Canal & Navigation Co.
vs. Plaintiff in Error,
The State of Louisiana

In Error to the Supreme Court of the State of Louisiana.

75.

This cause came on to be heard on the tran-

the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice McKenna.

Ex parte: In the matter of John Dennett, Jr., et al., Petitioners. Original. On consideration of the motion for leave to file a petition for writs of prohibition and mandamus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

962 M. C. Kiser Co., Ragen-Malone Co., et al., vs. Georgia Cotton Oil Co. et al. Petitioners, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said pe-

964. Thomas J. Kemp. vs. The United States. Petitioner. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

972. The Hocking Valley Railway Co. vs. The United States. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

985. Sunday Creek Co., vs. The United States. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

986. The Kansas City Southern Railway Co., Petitioner. vs. George C. Maynor and Ida Maynor. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

999. George B. Taylor, Claimant of the Steamer "R. P. Fitzgerald," etc., Petitioner. vs. The Cleveland Grain Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ

Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

French Mutual General Society of Mutual Insurance against Theft.
1005. vs. Petitioner
The United States Fidelity & Guaranty Co. of Baltimore

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by this Court that the said petition be and the same is hereby, denied.

Per Mr. Chief Justice White

The United States,
750 vs.
The Midwest Oil Co., et al.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument before a full bench, and assigned for Monday, May 11th next.

1023 The United States. Appellant, vs. The Terminal Railroad Association of St. Louis et al.

Mr. Solicitor General Davis, of counsel for the appellant submitted to the consideration of the Court a motion to advance this cause.

1062 The Berge-Forbes Co. Petitioner, vs. Carl R. Heyer.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Cecil A. Smith in support of the same, and Mr. Newton N. Lassiter in opposition thereto

202 William R. Hopkins. Petitioner, vs. Charles R. Hebard et al.

Mr. John Franklin Shields, of counsel for the respondents, submitted to the consideration of the Court a motion to assign this cause for argument immediately after case of State of North Carolina vs. State of Tennessee, No. 4, Original.

914 The New York Times Co. Petitioner, vs. Sun Printing & Publishing Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court

Max J Kohler in support of the same, and by Mr. James M. Beck and Mr. Charles K Carpenter in opposition thereto.

250 Archibald Hollerbach et al. vs. The United States. Appellants. On motion of Mr. William B. King, of counsel for the appellants.

It is ordered by the Court that leave be, and the same is hereby, granted the Clerk to issue the mandate in this cause.

998. James Lansburgh et al., vs. Myron M. Parker et al. Petitioners. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Alexander Wolf and Mr Charles A. Merillat in support of the same, and by Mr. J. J Darlington and Mr. John Ridout in opposition thereto.

849. Isidor Straus et al., &c., vs. The American Publishers Association et al. Plaintiffs in Error. The motion to reverse and remand or to advance this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edmund E. Wise and Mr. Wallace Macfarlane in support of the same, and Mr.

1016 Solomon Lipinsky. Petitioner. vs. G. W. Kretchman et al

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. J. N. Cobb in support of the same.

324 The Linn & Lane Timber Co. et al. Appellants. vs. The United States.

On motion of Mr. Evans Browne in his behalf, leave is hereby granted Mr. Joel F. Vaile to file a brief in this cause as amicus curiae

980 Northern Pacific Railway Co. Plaintiff in Error. vs. State of North Dakota on the relation of T. F. McCue, Attorney General.

981 Minneapolis, St. Paul & Sault Ste. Marie Railway Co. Plaintiff in Error. vs. State of North Dakota on the relation of T. F. McCue, Attorney General.

Mr. Evans Browne, in behalf of counsel, submitted to the consideration of the Court a motion to advance these cases.

1025 Northern Pacific Railway Co. Petitioner vs. Mary A Meese et al

The petition for a writ of certiorari herein was submitted to the considera-

submission of the same.

738. Stephen M. Egan, Plaintiff in Error, vs. The State of New Jersey. — The motion to dismiss or affirm this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Robert N. McCarter in support of the same, and Mr. John Franklin Fort in opposition thereto.

806. Louis W. Prince et al., Plaintiffs in Error, vs. May Bulger. — The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. W. Thompson in support of the same, and by Mr. William C. Prentiss and Mr. Walter L. Cle in opposition thereto.

380. Wisconsin Central Railway Co., and Minneapolis, St. Paul & Sault Ste. Marie Railway Co., Plaintiffs in Error, vs. Northern Pacific Railway Co. — In Error to the Supreme Court of the State of Min sota.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this writ of error in this cause has been filed, Mr.

ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed without costs to either party.

Per Mr. Chief Justice White.

6, Original. The State of Arkansas, Complainant, vs. The State of Tennessee.

The argument of this cause was continued by Mr. Albert W. Biggs, of counsel for the defendant, and concluded by Mr. Carruthers Ewing, of counsel for the complainant.

610 Samuel Gompers et al., Plaintiffs in Error and Appellants, vs. The United States.

The reargument of this cause was commenced by Mr. Alton B. Parker, of counsel for the plaintiffs in error and appellants, and continued by Mr. Jackson A. Ralston, of counsel for the plaintiffs in error and appellants.

Proclamation being made, the Court is adjourned

Tuesday, April 21st, 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph M'Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk.

Associate Justices

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles A. Towne, it is ordered that Thomas Carmody, Esquire, of Penn Yan, and Joseph A. Kellogg, Esquire, of Glens Falls, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. H. Thompson, it is ordered that A. L. Berger, Esquire, of Kansas City, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

Samuel Gompers et al.,
Plaintiffs in Error
440 vs. and Appellants,
The United States.

The reargument of this cause was continued by Mr. Jackson H. Ralston, of counsel for the plaintiffs in error and appellants, and by Mr. J. J. Darlington, of counsel for the defendant in error and appellee, and concluded by Mr. Dennis Davenport, of counsel for the defendant in error and appellee.

The United States.
256. vs. Appellant.
Nelson S. Tullis

The reargument of this cause was commenced by Mr. Assistant Attorney General Thompson, of counsel for the appellant, and continued by Mr George A. King, of counsel for the appellee.

Proclamation being made, the Court is ad-

Wednesday, April 22d, 1914

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Huston Thompson, it is ordered that Columbus Ewalt, Esquire, of Mt. Vernon, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas S. Martin, it is ordered that Richard Evelyn Byrd, Esquire of Winchester, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. John D. Works, it is ordered that John Charles North, Esquire of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. Gorman, it is ordered that William Reda, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that William O. Beall, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

35 Patrick Collins. vs. Plaintiff in Error. The Commonwealth of Kentucky.

36 Thomas Malone. vs. Plaintiff in Error. The Commonwealth of Kentucky.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. E. L. Worthington and Mr. J. M. Collins, of counsel

Garnett, of counsel for the defendant, wa

256 The United States, Appellant, vs. Nelson P. Vultè

The re argumen
Was comm
ended by Mr.
A. King, of cou

For the appellee.

308 The Southwestern Telegraph & Telephone Co., Plaintiff in Error, vs. Mrs. Adelia A. Danahier

and Mr. Mike Danahier, of counsel for the defendant in error.

Thus sam
argued by
David Fran
counsel for t
plaintiff in e
of counsel for the

185 The Denver & Rio Grande Railroad Co. Appellant, vs. The Arizona & Colorado Railroad Co. of New Mexico

Thus sam
argued by
E. N. Clark,
counsel for th
appellant, an
by Mr. J. B. C

of counsel for the appellee.

Proclamation being made, the Court is ad
journed until tomorrow at ten o'clock

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices.
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. N. P. Bryan, it is ordered that Daniel Curry Campbell, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julius Kahn, it is ordered that Harry James Bias, Esquire, of Santa Cruz, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Patrick J. Lucey, it is ordered that Charles Le Roy Brown, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly. 276 391 292

On motion first made to the Court in this behalf by Mr. Eugene Mackey, it is ordered that John W. Dunkle, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

302. Stone, Sand & Gravel Co., et al., Plaintiffs in Error, vs. The United States. This cause was argued by Mr. William Marshall Bullitt, of counsel for the plaintiffs in error, and Mr. Solicitor General Davis, of counsel for the defendant in error.

330 Charles W. Dale et al., Trustees, etc., Appellants, vs. Edward M. Pattison This cause was argued by Mr. Lee Warren James, of counsel for the appellants, and Mr. W. N. Mackey, of counsel for the appellee.

International Harvester Co. of America, vs. The Commonwealth of Kentucky (Plaintiff in Error, The argument of this case was commenced by Mr. Alexander Pope Humphrey, of counsel for the plaintiff in error, and continued by Mr. Charles Carroll, of counsel for the defendant in error.)

Proclamation being made, the Court is adjourned

Friday, April 21st, 1911.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice.
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

266

Proclamation being made, the Court is opened

276 The International Harvester Co. of America,
291 vs. Plaintiff in Error;
292 The Commonwealth of Kentucky.

The argument of these cases was continued by Mr. Charles Carroll and Mr. James Garnett, of counsel for the defendant in error, and concluded by Mr. Edgar A. Bancroft, of counsel for the plaintiff in error.

The International Harvester Co. of America,
297-298 vs. Plaintiff in Error;
The Commonwealth of Kentucky.

The argument of these cases was commenced by Mr. [illegible]

Humphrey, of counsel for the plaintiff in error; continued by Mr. Charles Carroll, of counsel for the defendant in error, and concluded by Edgar A. Bancroft, of counsel for the plaintiff in error.

Erie Railroad Co.,
Plaintiff in Error,
vs.
The People of the State of New York.

The argument of this cause was commenced by Mr. Frederic D. McKenney, of coun-

sel for the plaintiff in error.

Proclamation being made, the Court is ad-

Monday, April 27th. 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D White, Chief Justice
Joseph M Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright Esquire. Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General M Reynolds it is ordered that Francis M. Bass and J. M. Anderson, Esquires, of Nashville, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that William Samuel Graham, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this be-
half by Wm. William C. Dumas. it is ordered
that Arthur Wright. Esquire. of New York
City. be admitted to practice as an attorney
and counsellor of this Court, and he was
sworn accordingly.

On motion first made to the Court in this be-
half by Mr. Frederic D. McKenney, it is or-
dered that James A. Campbell. Esquire. of
Grand Rapids, State of Michigan be admit-
ted to practice as an attorney and counsellor
of this Court, and he was sworn accordingly.

On motion first made to the Court in this
behalf by Mr. James M Laughlin, it is ordered
that Edward L. Clark. Esquire. of Bay City.
State of Michigan, be admitted to practice
as an attorney and counsellor of this Court,
and he was sworn accordingly.

On motion first made to the Court in this
behalf by Mr. Frank B. Kellogg, it is ordered
that James A. Osband. Esquire. of Minne-
apolis. State of Minnesota. be admitted to
practice as an attorney and counsellor of this
Court, and he was sworn accordingly.

On motion first made to the Court in this be-
half by Mr. Joseph W. Folk. it is ordered

State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. W. Moore, it is ordered that George N. English, Jr., Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Watson, it is ordered that Joseph S. Goldsmith, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. M. Underwood, it is ordered that William V. Custer, Esquire, of Bainbridge, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest Knaebel, it is ordered that L. Ward Bannister, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he

Monday, April 27th. 1914. continued

On motion first made to the Court in this behalf by Mr. Merrill Starr it is ordered that Harry S. Weber, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter C. Coleman, it is ordered that Henry P. Alden, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Barker, it is ordered that George A. Moore, Esquire, of St Louis, William M. Fitch, Esquire, of Jefferson City, and Paul P. Prosser, Esquire, of La Plata, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Seaboard Air Line Railway. Plaintiff in Error,
vs.
James T. Norton.

In Error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court

by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. 211

Per Mr. Justice Pitney.

The Baer Brothers Mercantile Co., Plaintiff in Error, vs. The Denver & Rio Grande Railroad Co., 1110

In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that the judgment of the Circuit Court of the United States for the District of Colorado, be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Colorado. It is 184.

further ordered that this cause be

same is hereby remanded to the District Court of the United States for the District of Colorado.

Per Mr. Justice Lamar.

Illinois Central Railroad Co.. vs. Joseph Behrens, Administrator of the Succession of Joseph John Behrens. On a certificate from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Van Devanter.

Haddens Davids Co., (Petitioner.) vs. Cortlandt I. Davids and Walter I. Davids, trading as Davids Manufacturing Co. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the tran-

Circuit Court of Appeals for the Second C
and was argued by counsel. On consideration
whereof. It is now here ordered, adjudged
decreed by this Court that the decree of the
United States Circuit Court of Appeals in
cause be, and the same is hereby reversed
costs; and that the decree of the Circuit C
of the United States for the Southern Dist
of New York be, and the same is hereby,
firmed with costs. It is further ordered th
this cause be, and the same is hereby, remand
to the District Court of the United States f
the Southern District of New York.

per Mr. Justice Hughes

303. The San Joaquin and Kings River Canal and Irrigation Co., Appellant, vs. The County of Stanislaus, in the State of California, et al.

Appeal from the Circuit Court of the United Stat for the Northern District of Cali

This cause came on to be heard on the tran
script of the record from the Circuit Court
the United States for the Northern District
California, and was argued by counsel. On
sideration whereof, It is now here ordered, a
judged and decreed by this Court that the
ree of the said Circuit Court in this cause
and the same is hereby reversed with costs

that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of California for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes

(Mr. Justice Pitney did not sit in this case.)

374 United States of America for the use and benefit of Alexander Bryant Co., Plaintiff in Error, vs. New York Steam Fitting Co. et al.

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White.

516 Louis W. Prenica et al., Plaintiffs in Error, vs. May Bulger.

In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

738. Stephen M. Egan, Plaintiff in Error, vs. The State of New Jersey. In Error to the Court of Errors and Appeals of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

232. William R. Hopkins, Petitioner, vs. Charles Nebard et al. On consideration of the motion to assign this cause for argument on Tuesday, October 13th next, immediately after case No. 11, Original, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White.

980 Northern Pacific Railway Co., Plaintiff in Error, vs. State of North Dakota on relation of J. F. McCue, Attorney General. 981 Minneapolis, St. Paul & Sault Ste. Marie Railway Co., Plaintiff in Error, vs. [illegible] On consideration of the motion to advance these cases, It is now here ordered by the Court

State of North Dakota ex relation of T. F. McCue, Attorney General | be and the same is hereby granted, and the cause assigned for argument on Tuesday, October 13th next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice White.

The United States, Appellant. vs. The Terminal Railroad Association of St. Louis et al. 102 | On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on Tuesday, October 13th next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice White.

Isidor Straus and Nathan Straus, copartners composing the firm of R. H. Macy & Co., Plaintiffs in Error, vs. American Publishers Association et al. 849 | On consideration of the motion to reverse the judgment of the court below herein and remand the cause for further proceedings, or to advance the cause. It is now here ordered by the Court that the motion to reverse the judgment and

and the same is hereby denied. It is further ordered that the motion to advance be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day

per Mr. Chief Justice White

Northern Pacific Railway Co.,
Petitioner.
vs. 1025.
Mary A. Meese et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and the argument of counsel in support of the same, it is now here ordered by this Court that the petition be, and the same is hereby, granted

per Mr. Chief Justice White

The New York Times Co.,
Petitioner,
vs. 994
Sun Printing & Publishing Association.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it

petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

James Lansburgh, Julia Lucke, Abraham D. Spruce et al.. Petitioners. vs. Myron M. Parker, Nellie Parker, Joseph Paul, Lawrence Sands et al.

On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

No. 995.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

The Berge-Forbes Co., Petitioner. vs. Earl R. Noye.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

No. 1002.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same,

said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1006. Solomon Rispins Ky. vs. Petitioner. G. W. Kuckman, William Holgate, John G. Morrison et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel in support of the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

318. The Southern Pacific Co., et al., Appellants, vs. The United States et al. — It is ordered by the Court that this cause be remanded to the District Court of the United States for the District of Oregon, and that the mandate of this Court be addressed accordingly.

Per Mr. Chief Justice White.

385. The United States et al., Appellants, vs. The Baltimore & Ohio — It is ordered by the Court that this cause be re-

District Court of the United States for the Southern District of New York, and that the mandate of this Court be addressed accordingly.

Per Mr. Chief Justice White.

The Atchison, Topeka & Santa Fe Railway Co. et al., Appellants, vs. The United States et al.

539.

It is ordered by the Court that this cause be remanded to the District Court of the United States for the District of Kansas, and that the mandate of this Court be addressed accordingly.

Per Mr. Chief Justice White.

The Kansas City Southern Railway Co., Appellant, vs. The United States et al.

541.

It is ordered by the Court that this cause be remanded to the District Court of the United States for the Western District of Missouri, and that the mandate of this Court be addressed accordingly.

Per Mr. Chief Justice White.

The Atchison, Topeka & Santa Fe Railway Co. et al., Appellants, vs. The United States et al.

540

It is ordered by the Court that this cause be remanded to the District Court of the United

trict of Kansas, and that the mandate of this Court be addressed accordingly.

per Mr. Chief Justice White

The Chief Justice announced that the Court will not hear any oral argument after Friday, May 8, this order, however, being subject to modification should the state of the docket develop that it be possible to go further.

Sadie A. Stead, Executrix, etc., et al., Appellants, vs. Isabelle M. Curtis et al. 1022.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Horace W. Philbrook in support of the same, and by Mr. J. C. Campbell in opposition thereto.

The Pullman Co., Appellant, vs. W. V. Knott, Comptroller, etc. 936 & 937.

Mr. Frank B. Kellogg, of counsel for the appellant, submitted to the consideration of the Court motions to advance these cases.

Earl Oliver, Plaintiff in Error, vs. The State of Texas. 786.

Mr. G. C. Groce, in behalf of Mr. B. F. Looney, of counsel for the defendant

Court a motion to advance this cause.

The City of Lewiston,
701 vs. Plaintiff in Error,
John Chamberlain et al.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Burton L. French in support of the same, and by Mr. James H. Forney in opposition thereto.

Wabash Railroad Co.,
843. vs. Plaintiff in Error,
John R. Hayes.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. J. C. McShane in support of the same, and Mr. J. L. Minnis, Mr. John Maxey Zane and Mr. Charles F. Morse in opposition thereto.

Antonio Maria Peralta et al.,
361. vs. Appellants,
The State of California et al.

On motion of Mr. Alfred Sutro, of counsel for the appellees, It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

Ex parte: In the matter of Daniel E. Strub, Petitioner. Original.

Mr. William H. De Lacey, in behalf of Mr. Joe Kirby, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus in this cause.

804 Henry W. O'Neill et al., Plaintiffs in Error, vs. Jacob F. Leamer et al.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. E. Evans in support of the same, and Mr. William V. Allen in opposition thereto.

941 The Kansas City, Southern Railway Co., Appellant, vs. Guardian Trust Co. et al.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. Walter C. Clephane and Mr. Edward P. Gates in support of the same, and Mr. S. W. Moore and Mr. Samuel Untermyer in opposition thereto.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. S. W. Moore and Mr. Samuel Untermyer in support of the same,

P. Gales in opposition thereto.

941. The Kansas City Southern Railway Co., Appellant, vs. Guardian Trust Co. et al. On motion of Mr. S. W. Moore, leave is hereby granted Henry S. Priest, William F. Evans, Edward T. Miller, Gardiner Lathrop, Robert Dunlap, Henry D. Estabrook, Adrian H. Larkin, Albert Rathbone, W. R. Begg, C. R. Clapp and W. W. Gurley to file briefs herein as amici curiae on behalf of certain interested parties.

933, 934, 935. Cornell Steamboat Co., Plaintiff in Error, vs. Phoenix Construction Co. The motion to dismiss or affirm in these cases was submitted to the consideration of the Court on the record and printed arguments by Mr. E. Crosby Kindleberger in support of the same, and Mr. J. Parker Kirlin in opposition thereto.

165. The Colorado & Southern Railway Co., Plaintiff in Error, vs. The State Railroad Commission of Colorado, et al. In Error to the Supreme Court of the State of Colorado.

It appearing to the Court that a motion

the writ of error in this cause have been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

266. Erie Railroad Co., Plaintiff in Error, vs. The People of the State of New York. The argument of this cause was continued by Mr. W. W. Chambers, of counsel for the defendant in error, and concluded by Mr. Frederic D. McKenney, of counsel for the plaintiff in error.

274. Erie Railroad Co., Plaintiff in Error, vs. John Williams, Commissioner of Labor, etc. This cause was argued by Mr. Frederic D. McKenney, of counsel for the plaintiff in error, and Mr. Joseph A. Kellogg, of counsel for the defendant in error.

325. Henry J. Grannis, Plaintiff in Error, vs. Albert L. Ordean et al.

326. Henry J. Grannis, Plaintiff in Error, vs. Robert B. Whiteside et al.

The argument of these cases was commenced by Mr. Henry J. Grannis, of counsel for the plaintiff in error.

Sunday, April 26th. 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
J. M. Wright. Esquire. Marshal.
James D. Maher. Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. D. B. Airey, it is ordered that George W. Maxey, Esquire, of Scranton, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Felix Frankfurter, it is ordered that Maurice E. Tennant, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

3110. L. E. Waterman Co. vs. Modern Pen Co. Appellant.

It is ordered by the Court that this cause be, and the same is hereby, passed to be heard with case No. 393. per stipulation of counsel.

325 Henry J. Grannis. vs. Albert L. Ordeen et al. Plaintiff in Error.

326 Henry J. Grannis. vs. Robert B. Whiteside et al. Plaintiff in Error.

The argument of these cases was continued by Mr. Alfred Jaques, of counsel for the defendants in error, and concluded by Mr. Frederic D. McKenney, of counsel for the plaintiff in error.

231. Hugo Adelberto Thomsen et al., vs. Sir Charles W. Cayser et al. Plaintiffs in Error.

The argument of this cause was commenced by Mr. Lorenzo Ulle, of counsel for the plaintiffs in error, and continued by Mr. Thomas Thacher, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M'Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William Wallace, Jr., it is ordered that William Spencer Ward, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

Hugo Adelbert Thomsen et al., Plaintiffs in Error,
v. 231.
Sir Charles W. Cayser et al.

The argument of this cause was continued by Mr. J. Parker Kirlin, of counsel for the defendants in error, and concluded by Mr. Lorenzo

166. The International Harvester Co. of America, Plaintiff in Error, vs. The State of Missouri on the information of its Attorney General. The argument of this cause was commenced by Mr. Edgar A. Bancroft, of counsel for the plaintiff in error; continued by Mr. John J. Barker, of counsel for the defendant in error, and concluded by Mr. W. M. Williams, of counsel for the plaintiff in error.

179 The People of the State of Illinois ex rel. Edward F. Dunn, Governor, et al., Plaintiffs in Error, vs. The Economy Light & Power Co. The argument of this cause was commenced by Mr. Merritt Starr, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that John W. Arctander, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Swagar Sherley, it is ordered that M. B. Holefield, Esquire, of Mayfield, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Van Vechten Olcott, it is ordered that Wilson B. Brice, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William F. Murray, it is ordered that Joseph F. Sheehan, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Mary Helen Brown, Plaintiff in Error,
vs.
The City of New York.
314 — It is ordered by the Court that this cause be, and the same is hereby, continued, per stipulation of counsel.

The People of the State of Illinois ex rel. Edward F. Dunn, Governor, et al., Plaintiffs in Error,
vs.
The Economy Light & Power Co.
179 — The argument of this cause was continued by Mr. Merrill Starr, of counsel for the plaintiffs in error, and Mr. Frank H. Scott, of counsel for the defendant in error, and concluded by Mr. Horace Kent Tenney, of counsel for the plaintiffs in error.

1335 Simon Taylor et al. vs. Joe Anderson et al. Plaintiffs in Error

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Napoleon B. Maxey, of counsel for the plaintiffs in error, and Mr. H. A. Sidbetter, of counsel for the defendants in error.

1339 Will Jones vs. Marguerite Jones et al. Plaintiff in Error

This cause was argued by Mr. W. N. Harrelson, of counsel for the plaintiff in error, and Mr. B. F. Booth, of counsel for the defendants in error.

Proclamation being made, the Court is ad-

Friday, May 1st, 1914

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John T. Wayland, it is ordered that Don M. Hunt, Esquire, of Oregon, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

316. L. S. Skelton, Plaintiff in Error,
vs.
William N. Dill

On motion of Mr. C. J. Kappler, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, continued

John Jenkins.
vs. Appellant,
Maxwell Land Grant Co.

On motion of Mr. S. H. Longhran, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, continued

Neal F. Taylor,
vs. Plaintiff in Error,
Geo. Allen Parker.

It is ordered by the Court that this cause be, and the same is hereby, continued.

William Sizemore et al.,
vs. Plaintiffs in Error,
Fort M. Brady

It is ordered by the Court that this cause be, and the same is hereby, continued for stipulation of counsel.

John M. Price.
vs. Plaintiff in Error,
Pecos Valley & Northeastern Railway Co.

In Error to the Supreme Court of the State of New Mexico.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the fourth rule of this Court, now here ordered and adjudged by this Court that the writ of

dismissed with costs.

Per Mr. Chief Justice White.

302 W. E. Johnson et al., Appellants, v. Edwin Gearlds et al.

The cause was argued by Mr. Assistant Attorney General Watkins, of counsel for the appellants, and Mr. Charles P. Spooner, of counsel for the appellees.

305 Ennis Water Works, Plaintiff in Error, v. The City of Ennis

The argument of this case was commenced by Mr. G. C. Green, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Monday, May 4th, 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
Associate Justices
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. B. Francis, it is ordered that Victor J. Kehrer, Esquire, of Marlens Ferry, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Edward S. Paine, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh H. Obear, it is ordered that J. C. Nock, Esquire, of Pennington Gap, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that Axel Chytraus, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 572 52.

On motion first made to the Court in this behalf by Mr. Frederick S. Tyler, it is ordered that Irwin N. Linton, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Matthew E. O'Brien, it is ordered that Walter Jeffreys Carlin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. James B. Morrigan, it is ordered

ible, State of Ohio, be admitted to practice as
an attorney and counsellor of this Court, and
he was sworn accordingly.

On motion first made to the Court in this be-
half by Mr. N. Genres Dufour, it is ordered
that J. E. Moore and David Bessler, Esquires,
of New Orleans, State of Louisiana, be admitted
to practice as attorneys and counsellors of
this Court, and they were sworn accordingly

H. Webster Richards, Plaintiff in Error,
vs. In Error to the Court
Washington Terminal Co. of Appeals of the
District of Columbia

This cause came on to be heard on the transcript
of the record from the Court of Appeals of the
District of Columbia, and was argued by counsel.
On consideration whereof, It is now here ordered
and adjudged by this Court that the judgment
of the said Court of Appeals in this cause be, and
the same is hereby, reversed with costs; and that
this cause be, and the same is hereby, remanded
to the said Court of Appeals with directions to
reverse the judgment of the Supreme Court of
the District of Columbia, and remand the
cause to that Court with directions for a new
trial and for further proceedings in accordance
with the views expressed in the opinion of this
Court.

Per Mr. Justice Pitney

The Holden Land and Live Stock Co., William D. McLeod, Administrator with the will annexed of Howard M. Holden, deceased, and Nancy F. Holden, widow, and William M. Holden, Bertha L. Lautenbach, and Hale Holden, Heirs-at-Law of Howard M. Holden, deceased,

Plaintiffs in Error.

vs

The Interstate Trading Co., The National Bank of Commerce of Kansas City, Missouri, and George T. Cutts, Receiver of said Bank.

In Error to the Supreme Court of the State of Kansas.

177.

3541

538

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Hughes

Dissenting:
Mr. Justice Day
Mr. Justice McKenna
Mr. Justice Van Devanter

George E. Bowling and Miami Investment Co., Appellants, vs The United States of America.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Oklahoma.

Per Mr. Justice Hughes.

The United States. Plaintiff in Error, vs. Harold A. Foster, Frank Winchell, William S. Edwards and Harry N. Scott.

In Error to the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration thereof, It is now here ordered and adjudged

District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice McKenna

206 The United States, Appellant, vs. Nelson P. Vulte. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice McKenna

652 Seaboard Air Line Railway, Plaintiff in Error, vs. J. M. Pace Mule Co. In Error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is

with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings

Per Mr. Chief Justice White.

The City of Lewiston, Plaintiff in Error, vs. John Chamberlain, Charles F. Brown, Frank M. Davis et al.

In Error to the Supreme Court of the State of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

State of Arkansas, Complainant, vs. State of Tennessee.

On motion of the State of Arkansas at this time and in advance of the taking of proof on the face of the record to settle the principles by which the boundary line between the two states, complainant and defendant, is to be ascertained and in effect now to fix that line in order to its survey,

motion to settle the line of boundary between the two states, parties complainant and defendant, at this time upon the face of the record as it now stands, and to direct the location of the line thus to be settled and its survey should not be granted, the motion to that end is therefore denied and hence the case as it stands upon the original docket will proceed to the taking of proof as the parties may be advised and will therefore proceed to be ultimately disposed of in regular order.

Per Mr. Chief Justice White.

Ex parte: In the matter of Daniel E. Strub. Petitioner. Original.

On consideration of the motion for leave to file petition for a writ of mandamus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Earl Oliver. Plaintiff in Error. vs. The State of Texas.

786

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

1032

The Pullman Co.,
vs. Appellant.
W. D. Knott, Comptrol-
ler of the State of Florida.

On consideration of the motions to advance these cases, It is now here ordered by the Court, that said motions be, and the same are hereby, granted, and the cases assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White.

Henry W. O'Neill and
Cornelius K. Nefferman,
vs. Plaintiffs in Error.
Jacob F. Leamer, John T.
Daley, Fred Barbis et al.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice White.

Sadie A. Stead, Executrix
of the will of Catherine D.
Stead, deceased, et al.,
vs. Appellants,
Isabella M. Curtis and
John M. Curtis, her husband,
et al.

On consideration of the petition for a writ of certiorari herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by

same is hereby denied.

Per Mr. Chief Justice White.

Walter A. Ledbetter, as Receiver of N. Munzesheimer and Sam Daube, Copartners, composing the late firm of Munzesheimer & Daube,

vs. Plaintiff in Error,

Kaufman Mandell.

In Error to the Supreme Court of the State of New York.

253

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White.

The United States, Plaintiff in Error,

vs.

Holland-America Line

Mr. Solicitor General Davis, of counsel for the Plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Frank J. Craig. Plaintiff in Error. vs. William P. Garrett, Sheriff &c. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Sidney Ballou in support of the same, and Mr. Warren Gregory and Mr. W. N. Winkenring in opposition thereto.

Telefunken Wireless Telegraph Co. of the United States, Petitioner. vs. National Electric Signaling Co. et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Hector J. Fenton in support of the same, and Mr. Melville Church and Mr. F. W. N. Clay in opposition thereto.

Lazarus, Michel & Lazarus, et al., Appellants, vs. Ezra P. Prentice, etc., et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. H. Genres Dufour and Mr. E. J. Rice in support of the same, and Mr. Henry L. Lazarus, Mr. David Wessler and Mr. Giraud Farrar in opposition thereto.

The Mutual Life Insurance Co. of New York,
1011 vs. Petitioner.
L. Nilton Green et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. P. D. Beall and Mr. Emmett Wilson in support of the same, and by Mr. W. A. Blount, Mr. A. E. Blount and Mr. F. B. Carter in opposition thereto.

Louisiana Railway & Navigation Co.,
339 vs. Plaintiff in Error,
Martin Behrman, Mayor of the City of New Orleans.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. D. Moore in support of the same, and Mr. Murphy J. Foster in opposition thereto.

Albert Dellerie, sole surviving executor, &c.,
1040 vs. Petitioner.
Frechheimer-Fishel Co., Bankrupt.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Roger Foster in support of the same, and Mr. Louis F. Doyle in opposition thereto.

Hector Mc. Donald et al.,
163 vs. Plaintiffs in Error.
The Oregon Railroad & Navigation Co., Incorporated.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. W. Cotton and Mr. N. W. Clark in support of the same, and Mr. George E. Chamberlain and Mr. Will R. King in opposition thereto.

Great Northern Railway Co.
1024 vs. Petitioner.
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. E. C. Lindley, Mr. F. W. Brown and Mr. C. S. Albert in support of the same, and Mr. Solicitor General Davis in opposition thereto.

John N. McClintock.
1044 vs. Petitioner.
The City of Pawhuska.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John N. McClintock in support of the same, and Mr. William R. Billingsley in opposition thereto.

American Ice Co.,
1035. vs. Petitioner.

The petition for a writ of certiorari

to the consideration of the Court by Mr. Frank R. Savidge in support of the motion.

357. Henry Athol Edwards, Appellant, vs. N. B. McCoy, Collector of Customs of the Philippine Islands. Appeal from the Supreme Court of the Philippine Islands.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed. Therefore, in pursuance of said motion. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

359. Peter Gallagher, as Administrator, etc., Plaintiff in Error, vs. Florida East Coast Railway Co. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William A. McQuaid, of counsel for the plaintiff in error, and Mr. George S. Scofield, of counsel for the defendant in error.

305. Ennis Water Works, Plaintiff in Error, vs. City of Ennis. The argument of this cause was continued by Mr. Rhodes

for the defendant in error, and concluded by Mr. L. C. Grace, of counsel for the plaintiff in error.

The Chicago, Rock Island & Pacific Railway Co., Plaintiff in Error, vs. W. W. Scully. 342

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. F. C. Dillard, Mr. M. L. Bell and Mr. W. A. Moore, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

Ramon Valdes Cobian, Judicial Administrator of Ramon Valdes, deceased, Appellant, vs. Julio Larrinaga. 343

This cause was argued by Mr. Hugo Kohlmann, of counsel for the appellant, and by Mr. Frederic D. McKenney, of counsel for the appellee.

The Pacific Express Co. et al., Plaintiffs in Error, vs. I. Kuhlman. 344

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James L. Minnis and Mr. Cecil A. Smith, of counsel for the plaintiffs in error, and Mr. Mark McMahon and Mr. W. A. Cunningham of counsel for the defendant in error.

Tuesday, May 5th. 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright Esquire. Marshal.
James D. Maher. Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John S. Eggleston, it is ordered that Legh R. Page, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

341 Mrs. Carmelite Sone, wife of George A. Longue, vs. Plaintiff in Error, Yazoo & Mississippi Valley Railroad Co., et al.

Mr. David Saxler, of counsel for the Plaintiff in error, submitted to the consideration of the Court a motion to

365

369

355

It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

The People of the State of New York ex rel. Cornell Steamboat Co.. vs. Plaintiff in Error. William A. Sohmer, as Comptroller of the State of New York. | It is ordered by the Court that this cause be, and the same is hereby, continued, per stipulation of counsel.

The United States. vs. Plaintiff in Error. Buffalo Pitts Co. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Underwood, of counsel for the plaintiff in error, and Mr. Edward S. White, of counsel for the defendant in error.

Western Union Telegraph Co., vs. Plaintiff in Error. William Brown et al. | The argument of this cause was commenced by Mr. Rush Taggart of counsel for the plaintiff in error; continued by Mr. Frank J. Hogan, of counsel for the defendants in error, and concluded by Mr. Francis Raymond Stark, of counsel for the plaintiff in error.

Moore-Mansfield Construction Co., Appellant,
vs.
Electrical Installation Co., et al.

No. 558

The argument of this cause was commenced by Mr. William A. Ketcham of counsel for the appellant; continued by Mr. C. C. Shirley, of counsel for the appellees, and concluded by Mr. A. S. Worthington, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock a.m.

Pursuant to adjournment, the Court met to-
day, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this be-
half by Mr. A. R. Brown, it is ordered that
Henry B. Martin, Esquire, of Tulsa, State of
Oklahoma, be admitted to practice as an attor-
ney and counsellor of this Court, and he was
sworn accordingly.

On motion first made to the Court in this be-
half by Mr. Joel F. Vaile, it is ordered that
Carl C. Schuyler, Esquire, of Denver, State of
Colorado, be admitted to practice as an attorney
and counsellor of this Court, and he was sworn
accordingly

On motion first made to the Court in this behalf by Mr. R. H. Yeatman, it is ordered that Charles N. Wilson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

207. Silas A. Gilson, Appellant, vs. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Wade H. Ellis, of counsel for the appellant, and by Mr. Assistant Attorney General Knaebel and Mr. S. W. Williams, of counsel for the appellee. 360

375 Clarence N. Venner, Appellant, vs. Chicago City Railway Co. It is ordered by the Court that this cause be, and the same is hereby, continued for stipulation of counsel.

376 The Brown Shoe Co., Plaintiff in Error, vs. C. Ross Hume, Trustee, &c. In Error to the Supreme Court of the State of Oklahoma. 360

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of

Wednesday, May 6th. 1914. continued.

in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Nathaniel W. Bowe et al. Plaintiffs in Error
vs.
Elizabeth S. Scott et al

Mr. Richard Evelyn Byrd, of counsel for the plaintiffs in error.

suggested the death of Nathaniel W. Bowe, one of the plaintiffs in error in this cause, and moved the Court to make Emma Lewis Bowe, Executrix of the last will and testament of the said Nathaniel W. Bowe, deceased, a party plaintiff in error. Whereupon, It is now here ordered by the Court that the said Emma Lewis Bowe, Executrix of the last will and testament of Nathaniel W. Bowe, deceased, be, and she is hereby, made a party plaintiff in error in this cause.

Emma Lewis Bowe, Executrix, &c., et al.
vs.
Elizabeth S. Scott et al.

Plaintiffs in Error.

The argument of this cause was commenced by Mr. Richard Evelyn Byrd, of counsel for the plaintiffs in error; continued by Mr. Legh R. Page and Mr. John S. Eggleston, of counsel for the defendants in error, and concluded by Mr. David Mead White, of counsel for the plaintiffs in error.

On motion first made to the Court in this ca
by Mr. R. H. Yeatman, it is ordered that C
H. Wilson, Esquire, of New York City, be ad
ted to practice as an attorney and counsellor
this Court, and he was sworn accordingly.

207. Silas A. Gilson, Appellant, vs. The United States.

This cause was su
ted to the considera
of the Court on the
cord and printed
ments by Mr. Wade H. Ellis, of counsel for the
pellant, and by Mr. Assistant Attorney Gener
Knaebel and Mr. S. W. Williams, of counsel f
appellee.

375 Clarence N. Venner, Appellant, vs. Chicago City Railway Co.

It is ordered by the
Court that this ca
be, and the same i
hereby, continued

stipulation of counsel.

376 The Brown Shoe Co., Plaintiff in Error, vs. C. Ross Hume, Trustee, &c.

In Error to the
Supreme Court of
State of Oklahom

This cause having been called for hearing in
regular order, and it appearing to the Court
the parties have failed to print the transcript
the record, It is, therefore, in pursuance of the
tenth rule of this Court, now here ordered a
adjudged by this Court that the writ of

in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

360 Nathaniel W. Bowe et al. Plaintiffs in Error, vs. Elizabeth S. Scott et al.

Mr. Richard Evelyn Byrd, of counsel for the plaintiffs in error, suggested the death of Nathaniel W. Bowe, one of the plaintiffs in error in this cause, and moved the Court to make Emma Lewis Bowe, Executrix of the last will and testament of the said Nathaniel W. Bowe, deceased, a party plaintiff in error in his stead. Whereupon, It is now here ordered by the Court that the said Emma Lewis Bowe, Executrix of the last will and testament of Nathaniel W. Bowe, deceased, be, and she is hereby, made a party plaintiff in error in this cause.

360 Emma Lewis Bowe, Executrix, &c., et al. Plaintiffs in Error, vs. Elizabeth S. Scott et al.

The argument of this cause was commenced by Mr. Richard Evelyn Byrd, of counsel for the plaintiffs in error; continued by Mr. Legh R. Page and Mr. John S. Eggleston, of counsel for the defendants in error, and concluded by Mr. David Mead White, of counsel for the plaintiffs in error.

361. Archur L. Selig. vs. Plaintiff in Error. Charles E. Hamilton, as Receiver &c.

This cause was argued by Mr. Abram I. Elkus of counsel for the plaintiff in error, and Mr. James E. Frank, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow at ten o'clock A.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M. Kenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that John C. Palmer, Jr., Esquire, of Wheeling, and Walter S. Sugden, Esquire, of Sistersville, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Alton B. Parker, it is ordered that Henry A. Gildersleeve, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this c
by Mr. John Lind, it is ordered that John
Esquire, of Minneapolis, State of Minneso
admitted to practice as an attorney and co
of this Court, and he was sworn accordingly

750 The United States
vs.
The Midwest Oil Co. et al.

On motion of
F. W. Clemen
leave is hereb
granted Mr.
Browne, Mr. Alexander Britton, Mr. Evan
Browne, Mr. F. W. Clements, Mr. Frederic
Kellogg and Mr. Frank N. Short to file
herein as amici curiae.

372 Keokee Consolidated
Coke Co.
vs. Plaintiff in Error.
W. W. Taylor et al.
Keokee Consolidated
Coke Co.,
373. vs. Plaintiff in Error,
J. O. Kelly et al.

These cases w
submitted to t
sideration of
Court on the
and printed a
ments by Mr.
Bullitt, of co
for the plaintiff
error, and Mr.
Noel, of counsel for the defendants in error.
leave was granted counsel for both sides
additional briefs within ten days.

374	United States of America for the use and benefit of Alexander Bryant Co., vs. New York Steam Filling Co. et al. (Plaintiff in Error)	It is ordered by the Court that this cause be, and the same is hereby, continued, per stipulation of counsel.
750	The United States vs. The Midwest Oil Co. et al.	The reargument of this case was commenced by Mr. Assistant Attorney General Knaebel, of counsel for The United States; continued by Mr. Joel F. Vaile, of counsel for The Midwest Oil Company et al., and concluded by Mr. Solicitor General Davis, of counsel for The United States
367	Washington Securities Co., Appellant, vs. The United States.	The argument of this cause was commenced by Mr. N. R. Clise, of counsel for the appellant

Proclamation being made, the Court is ad-

Friday, May 8th. 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices.
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney.
J. W. Wright, Esquire, Marshal,
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William R. Harr, it is ordered that Chauncey P. Holcomb, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Humphrey, it is ordered that R. S. Jerkins, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Laurence Y. Sherman, it is ordered that Albert E. Seely, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that Carlton F. McNally, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. George M. Hoffheimer, it is ordered that E. A. Bowers, Esquire, of Elkins, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

381 The United States, Appellant, vs. The United Engineering & Contracting Co.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Thompson and Mr. P. M. Ashford, of counsel for the appellant, and by Mr. Frederic D. McKenney, Mr. John Spalding Flannery and Mr. William

granted counsel for the appellant to file an additional brief within five days, and counsel for the appellee to file a reply thereto within three days thereafter.

367. Washington Securities Co. vs. The United States. Appellant. The argument of this cause was continued by Mr. N. K. Cline, of counsel for the appellant, and Mr. Assistant Attorney General Knaebel, of counsel for the appellee, and concluded by Mr. N. K. Cline, of counsel for the appellant.

368. Detroit Steel Cooperage Co., vs. Sisterville Brewing Co. et al. Petitioner. The argument of this cause was commenced by Mr. Charles N. Kimball, of counsel for the petitioner, continued by Mr. Thomas P. Jacobs, of counsel for the respondents, and concluded by Mr. George M. Hoffheimer, of counsel for the petitioner.

Proclamation being made, the Court is ad-

Monday, May 11th. 1914.

Pursuant to adjournment, the Court met today
in the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton Associate
Charles E. Hughes Justices
Willis Van Devanter
Joseph R. Lamar
Mahlon Pitney
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this
behalf by Mr. Solicitor General Davis, it is
ordered that Oman E. Swartz, Esquire, of
Clarksburg, State of West Virginia, be admit-
ted to practice as an attorney and counsellor of
this Court, and he was sworn accordingly.

On motion first made to the Court in this be-
half by Mr. Wharton E. Lester, it is ordered
that Alvin J. Smallwood and C. Wilfred
Sinnard, Esquires, of Philadelphia, State of
Pennsylvania, be admitted to practice as attor-
neys and counsellors of this Court, and they were

On motion first made to the Court in this behalf by Mr. Ernest Knaebel, it is ordered that Walter E. Kelley, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Needham, it is ordered that Charles J. Hendler, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 265

On motion first made to the Court in this behalf by Mr. Walter C. Clephane, it is ordered that Fred H. Copp, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

322 The Missouri, Kansas & Texas Railway Co. of Texas, Plaintiff in Error, vs. L. C. Cade. In Error to the Justice Court, Precinct No. 7, Dallas County, State of Texas.

This cause came on to be heard on the transcript of the record from the Justice Court, Precinct No. 7, Dallas County, State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and

adjudged by this Court that the judgment of the said Justice Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of Texas.

Per Mr. Justice Pitney.

W. W. Smith.
vs. Plaintiff in Error,
The State of Texas.

In Error to the Court of Criminal Appeals of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Criminal Appeals of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Criminal Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Criminal Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Lamar

Dissenting: Mr. Justice Holmes.

Scott Logan,
247. vs. Plaintiff in Error.
W. R. Davis

In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Van Devanter.

640

The Denver & Rio Grande Railroad Co.
185. vs. Appellant,
The Arizona & Colorado Railroad Co. of New Mexico.

Appeal from the Supreme Court of the Territory of New Mexico

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby,

574

his cause be, and the same is hereby remanded
the Supreme Court of the State of New Mex.
ico.

Per Mr. Justice Holmes.

Samuel Gompers, John
Mitchell and Frank
Morrison,
Plaintiffs in Error.
vs. and Appellants.
The United States.

In Error to and
appeal from the
Court of Appeals
of the District
of Columbia.

This cause came on to be heard on the tran
script of the record from the Court of Appeals
of the District of Columbia, and was argued
by counsel. On consideration whereof. It is now
here ordered, adjudged and decreed by this
Court that the writ of error in this cause, and
this appeal be, and the same are hereby, dis-
missed for the want of jurisdiction.

Per Mr. Justice Holmes.

Samuel Gompers, John
Mitchell and Frank
Morrison.
vs. Petitioners.
The United States.

On petition for writ
of certiorari to the
Court of Appeals of
the District of Co-
lumbia

On consideration of the petition for a writ
of certiorari herein to the Court of Appeals

ordered by the Court that the petition of the above named petitioners be, and the same is hereby, granted, the transcript of record presented with the petition to stand as a return to said writ. It is further ordered that the petition of the Judges of the Supreme Court of the District of Columbia for a writ of certiorari herein be, and the same is hereby, denied.

Per Mr. Justice Holmes.

574 Samuel Gompers, John Mitchell and Frank Morrison, Petitioners. vs. The United States. On writ of certiorari to the Court of Appeals of the District of Columbia

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals and the judgment of the Supreme Court of the District of Columbia in this cause be, and the same are hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Van Devanter

Southern Railway Co., Plaintiff in Error,
vs.
W. O. Gadd.

In Error to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs, and five per cent. damages, in addition to interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of Tennessee; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Tennessee.

Per Mr. Chief Justice White

D. Stone and E. Fusilimi, Plaintiffs in Error,
vs.
The United States.

In Error to the District Court of the United States, Division No. 1, Territory of Alaska

This cause came on to be heard on the transcript of the record from the District Court of the United States, Division No. 1, Territory of

consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice White.

Ambrosio Apiapas, Cornelio Lubo, Francisco Lubo, et al.,		In Error to the District Court of the United States for Southern District of California.
746	vs. Plaintiffs in Error.	
The United States.		

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction

per Mr. Chief Justice White.

Cornell Steamboat Co.,		In Error to the Supreme Court of the State of New York.
933	vs. Plaintiff in Error.	
Phoenix Construction Co.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is on motion to dismiss or affirm entered now here ordered and adjudged by this

that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White.

934. Cornell Steamboat Co., Plaintiff in Error, vs. Phoenix Construction Co. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White.

935. Cornell Steamboat Co., Plaintiff in Error, vs. Phoenix Construction Co. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and

285 J. J. Green. vs. Appellant, The Menominee Tribe of Indians in Wisconsin, and The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice White

92. Frank B. Craig, vs. Plaintiff in Error, William T. Jarrett, Sheriff of the City and County of Honolulu, Territory of Hawaii. In Error to the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice White

The Pacific Express Co. and The American Surety Co., (Plaintiffs in Error) vs. I. Kaufman.

In Error to the Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Civil Appeals for further proceedings

Per Mr. Chief Justice White

Peter Gallagher, as Administrator of all and singular the goods, chattels and credits which were of John Gallagher, deceased, (Plaintiff in Error) vs. Florida East Coast Railway Co.

In Error to the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the

Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice White

941. The Kansas City Southern Railway Co., Appellant, vs. Guardian Trust Co., et al.

Per curiam:
In view of the serious nature of the question of jurisdiction, the Court does not desire to pass upon the same without the benefit of an oral argument, to be heard when the case is regularly reached on the call. The motion to dismiss or affirm is hence postponed to the hearing on the merits. And, being of opinion that the nature of the case is such as to authorize the granting of the writ of certiorari which is applied for, in the event it develops on the hearing that there is no jurisdiction to review the same, the application for the writ of certiorari is also postponed to the hearing.

per Mr. Chief Justice White

Monday, May 11th 1914. continued

The United States,
vs. Plaintiff in Error.
Holland America Line

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

Louisiana Railway & Navigation Co.,
vs. Plaintiff in Error.
Martin Behrman, Mayor of the City of New Orleans

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice White

The Mutual Life Insurance Co. of New York,
vs. Petitioner.
Nellon Green and W.A. Finlay, Jr., as Executors of the Estate of C. L. Wiggins, deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit

of the argument of counsel thereupon had
with in support of as against the same, it
here ordered by this Court that the said
be, and the same is hereby, granted.
Per Mr. Chief-Justice

1024. Great Northern Railway Co. Petitioner. vs. The United States. On petition for of certiorari to United States Court of Appeals for the Ninth Circuit.

For the Ninth Circuit.
On consideration of the petition for a c
certiorari herein to the United States Cir
Court of Appeals for the Ninth Circuit
of the argument of counsel thereupon h
with in support of as against the same,
now here ordered by this Court that the
petition be, and the same is hereby, den
Per Mr. Chief Justice

1026. Telefunken Wireless Telegraph Co. of the United States, Petitioner. vs. National Electric Signaling Co., and Samuel W. Kintner and N. W. Barrett, Receivers. On petition of certiorari United States cuit Court peals for the Circuit.

On consideration of the petition for a

Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said Petition be, and the same is hereby, denied.

per Mr. Chief Justice White

American Ice Co., vs Petitioner, Camilla Porreca. 1033

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

Albert Dillerie, Sole Surviving Executor of the Estate of Bernard Rochenberg, deceased, Petitioner, vs. Feehheimer Tisket Co., Bankrupt. 1040

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and

well in support of as against the same. It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1011 John N. McClintock. vs. (Petitioner) City of Pawtucket. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

927 The United States. vs. Plaintiff in Error. Charles Lewis et al. Mr. Solicitor General Davis, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause

932 The United States, vs. Plaintiff in Error. Elie Portale et al. Mr. Solicitor General Davis, of counsel for the plaintiff in error, submitted to

this cause.

990. The United States, Plaintiff in Error, vs. William C. Nixon et al. — Mr. Solicitor General Davis, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

735. Clove W. Van Dyke, Plaintiff in Error, vs. Cordova Copper Co. — The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William J. Hughes and Mr. John H. Campbell in support of the same, and by Mr. Richard E. Sloan and Mr. James Westervelt in opposition thereto

978. American Water Softener Co., Appellant, vs. J. D. Lankford et al. — Mr. C. Wilfred Conard, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

1039 Cornelia G. Goodrich et al., Petitioners, vs. The Houston Oil Company of Texas et al. — The petition for a writ of certiorari herein was submitted to the

the Court by Mr. William D. Gordon in support of the same.

1027

1018. Monongahela River Coal & Coke Co. (consolidated with) vs. Petitioner. River & Rail Storage Co.,

The petition for a writ of certiorari herein was submitted to the consideration of the Court

1028

on printed arguments by Mr. J. Arthur Lynham in support of the same, and Mr. C. N. Trimble in opposition thereto.

1057. Eastern Oregon Land Co., vs. Petitioner Willow River Land & Irrigation Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Evans Browne, Mr. J. N. Teal, Mr. Wirt Minor, Mr. F. W. Clements, Mr. A. B. Browne and Mr. Alexander Britton in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto within one day.

263

1052. Mortimer M. Ekhan, vs. Plaintiff in Error. The State of Maryland.

Mr. Joseph B. Goldsmith, of counsel for the plaintiff in error, submitted

263

to the consideration of the Court a motion to advance this cause.

John A. S. Brown et al.,
as Trustees, etc.,
vs. Appellant,
Austen B. Fletcher, Trustee,
etc., et al.
The Provident Life & Trust
Co., et al., etc.
vs. Appellants,
Austen B. Fletcher, Trustee,
etc., et al.

Mr. Monroe Buckley, on behalf of Mr. Charles A. Burr, of counsel for the appellants in case No. 1027, and Mr. N Gordon McCoach, of counsel for the appellants in case No. 1028, submitted to the consideration of the Court a motion to advance these cases and submit the same under the thirty-second rule. Leave was granted Mr. William P. Mellon, of counsel for the appellees to file a brief in opposition thereto within one week.

L. V. Mullen,
vs. Plaintiff in Error,
W. H. Simmons, Sheriff,
etc., et al.

It is ordered by the Court that the order of this Court in this cause, continuing the same and the same is hereby set aside, upon stipulation of counsel.

L. V. Mullen,
vs. Plaintiff in Error,
W. H. Simmons, Sheriff,
etc., et al.

This cause was submitted to the consideration of the Court on the record and printed

For the plaintiff in error, and Mr. John E. Dolman, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Charles E. Hughes
Willis Van Devanter
Mahlon Pitney
Associate Justices
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that Charles E. Foster, Esquire, of Omaha, State of Nebraska, and Michael L. Heintz, Esquire, of Cincinnati, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Kern, it is ordered that Gould G. Rheuby, Esquire, of Wilmington, State of Delaware, be admitted to practice as an attorney and counsellor of this Court, and he was sworn

On motion first made to the Court in this behalf by Mr. Joseph W. Folk, it is ordered that Edward B. Adams, Esquire, of Boston State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elihu Root, it is ordered that George Jones, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jack Beall, it is ordered that J. P. Yates, Esquire, of Greenville, State of Texas be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James S. Davenport, it is ordered that Claude C. Hatchett, Esquire, of Durant, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Taylor, it is ordered that Alfred F. N. Frantz, Esquire, of Phila-

telphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. M. E. O'Brien, it is ordered that James A O'Shea, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl E. Mapes, it is ordered that Charles O. Smedley, Esquire, of Grand Rapids, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Richardson, it is ordered that David W. Kahn, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Martin Ocampo and
Teodoro M. Kalaw,
vs. Plaintiffs in Error,
The United States.

In Error to the Supreme Court of the Philippine Islands.

script of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

(Per Mr. Justice Pitney.)

335.

307. P. A. Carlson, Plaintiff in Error, vs. The State of Washington on the relation of Charles O. Curtiss — In Error to the Supreme Court of the State of Washington

Thus cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Pitney.)

Ex parte: In the matter of W. L. Roe — On consideration of the petition for a writ of mandamus herein, of the return

13 Original — Petitioner — 367.

to the rule to show cause, and of the argument of counsel thereon, [illegible]

by the Court that the rule to show cause be discharged, and that said petition be and the same is hereby dismissed.

Per Mr. Justice Van Devanter.

Simon Taylor, Melvina Taylor, Lena Wilson et al., vs. Plaintiffs in Error; Joe Anderson, Tabitha Anderson, Jesse J. Kincannon and Sidney G. Kincannon.

In Error to the Circuit Court of the United States for the Eastern District of Oklahoma.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Oklahoma.

Per Mr. Justice Van Devanter.

Washington Securities Co., vs. Appellant. The United States.

Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

script of the record from the United Stat... Circuit Court of Appeals for the Ninth C... and was argued by counsel. On considera... whereof. It is now here ordered, adjudged ... deemed by this Court that the decree of the ... United States Circuit Court of Appeals ... this cause be, and the same is hereby, af... firmed; and that this cause be, and the ... is hereby, remanded to the District Court ... the United States for the Western District ... Washington.

Per Mr. Justice Van Dev...

New Orleans & Northeast-
ern Railroad Co. and
Southern Railway Co.,
Plaintiffs in Error,
vs.
National Rice Milling Co.

In Error to t... Supreme Cou... of the State ... Louisiana.

615

This cause came on to be heard on the t... script of the record from the Supreme Cou... of the State of Louisiana, and was argue... by counsel. On consideration whereof, It ... now here ordered and adjudged by this C... that the writ of error in this cause be, a... the same is hereby, dismissed for the want ... jurisdiction.

Per Mr. Justice Van Dev...

Wabash Railroad Co.
vs. Plaintiff in Error,
John R. Hayes.

In Error to the Appellate Court of the State of Illinois. First Division.

84[illegible]

This cause came on to be heard on the transcript of the record from the Appellate Court of the State of Illinois, First Division, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Van Devanter.

Schmidt and Story,
Franz Schmidt, Charles
M. Story, Charles M.
Crossman et al.,
vs. Plaintiffs in Error.
Bank of Commerce.

In Error to the Supreme Court of the Territory of New Mexico.

281.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Su-

further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Hughes.

215

Atlantic Transport Co., of West Virginia, Petitioner, vs. Frank Imbrovek.

On writ of certio to the United S Circuit Court Appeals for the Circuit.

This cause came on to be heard on the script of the record from the United Sta Circuit Court of Appeals for the Fourth C cuit, and was argued by counsel. On consi ation whereof, It is now here ordered, adju and decreed by this Court that the decree the said United States Circuit Court of Ap peals in this cause be, and the same is he affirmed with costs; and that this cause and the same is hereby remanded to the District Court of the United States for t District of Maryland.

Per Mr. Justice Hughes.

216

Atlantic Transport Co. of West Virginia, Petitioner, vs. State of Maryland to the use of Mary Dezeuk, widow of Martin Dezeuk, et al.

On writ of certi to the United S Circuit Court o Appeals for the Fourth Circuit

This cause came on to be heard upon the

script of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Maryland.

Per Mr. Justice Hughes.

The United States of America, Plaintiff in Error,
vs. In Error to the
Julia A. Axman, Executrix United States
of Rudolph Axman, de- Circuit Court of
ceased, and American Bond- Appeals for the
ing Co. of Baltimore. Ninth Circuit.

344.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the

Court of the United States for the Northern District of California.

Per Mr. Justice Day.

531. The Louisville & Nashville Railroad Co. vs. Calesby Woodford and John T. Ireland. Plaintiff in Error. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Day.

829 The United States and Interstate Commerce Commission vs. Louisiana & Pacific Railway Co. et al.

830. The Atchison, Topeka & Santa Fe Railway Co. and Gulf, Colorado & Santa Fe Railway Co. vs. Louisiana & Pacific Railway Co. et al.

Appellants. Appeals from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United State

Commerce Court, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Commerce Court in this cause be, and the same is hereby, affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Louisiana.

Per Mr. Justice Day.

The United States and Inter-State Commerce Commission, Appellants, vs. Woodworth and Louisiana Central Railway Co., et al. The Atchison, Topeka & Santa Fe Railway Co. and Gulf, Colorado & Santa Fe Railway Co., Appellants, vs. Woodworth and Louisiana Central Railway Co., et al.

Appeals from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, on separate appeals, and was argued by counsel. On consideration thereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Commerce Court in this

It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Louisiana.

Per Mr. Justice Day.

833 The United States and Interstate Commerce Commission, Appellants, vs. Mansfield Railway & Transportation Co., Frost-Johnson Lumber Co. and Railroad Commission of Louisiana.

834 The Atchison, Topeka & Santa Fe Railway Co. and Gulf, Colorado & Santa Fe Railway Co., Appellants, vs. Mansfield Railway & Transportation Co., et al.

Appeals from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Commerce Court in this cause be, and the same is hereby, affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of

Monday, May 25th, 1914, continued.

Louisiana.

Per Mr. Justice Day.

835 The United States and Interstate Commerce Commission
vs. Appellants,
Victoria, Fisher & Western Railroad Co., Louisiana Long Leaf Lumber Co., and Railroad Commission of Louisiana

836 The Atchison, Topeka & Santa Fe Railway Co., and Gulf, Colorado & Santa Fe Railway Co.,
vs. Appellants,
Victoria Fisher & Western Railroad Co., et al.

} Appeals from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Commerce Court in this cause be, and the same is hereby, affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Louisiana.

Per Mr. Justice Day.

837. The United States and Inter-state Commerce Commission vs. Butler County Railroad Co. Appellants, Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Commerce Court in this cause be, and the same is hereby, affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Missouri.

Per Mr. Justice Day.

365.

343. Ramon Valdes Cobian, Judicial Administrator of Ramon Valdes, deceased, vs. Jules Larrinaga. Appellant, Appeal from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is

by affirmed with costs and interest until paid, at the same rate per annum that similar decrees bear in the courts of Porto Rico.

Per Mr. Justice Holmes.

Detroit Steel Cooperage Co., Petitioner. vs. Sistersville Brewing Co., Gale Justus, R. H. Skaggs, F. Hogenmiller et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of West Virginia for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Lurton.

The Oceanic Steam Navigation Co., Limited, as owner of the Steamship "Titanic".

798. vs.

William J. Millar and Harry Anderson.

On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first and second questions must be answered in the affirmative, and the answer to the third question, "The Law of the United States." Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Holmes

Erie Railroad Co., Plaintiff in Error,

266 vs.

The People of the State of New York.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed

costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this court.

Per Mr. Justice McKenna.

274. Erie Railroad Co., Plaintiff in Error, vs. John Williams, as Commissioner of Labor of the State of New York. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

305 Ennis Water Works, Plaintiff in Error, vs. City of Ennis. In Error to the Supreme Court of the State of Texas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel. On consideration whereof, It is

Court that the writ of error in this cause
and the same is hereby dismissed for the
of jurisdiction.

Per Mr. Chief Justice W

Emma Lewis Bowe, Execu-
trix of Nathaniel W. Bowe,
deceased, Ann Clay Crew-
shaw, Ellie W. Putney, and
Channing M. Bolton,

360 vs. Plaintiffs in Error,
Elizabeth B. Scott, Fred W.
Scott, E. J. D. Pilyere, Jr., and
The City of Richmond.

In Error to
Supreme Cou
of Appeals of
State of Virg

This cause came on to be heard on the tr
script of the record from the Supreme Cour
of Appeals of the State of Virginia, and
argued by counsel. On consideration whereo
It is now here ordered and adjudged by th
Court that the writ of error in this cause be
and the same is hereby dismissed for the wan
of jurisdiction.

Per Mr. Chief Justice W

Hector McDonald and
Margaret McDonald,

463. vs. Plaintiffs in Error,
The Oregon Railroad & Navigation Co.,
Incorporated.

In Error to the
Supreme Court
the State of Or

This cause came on to be heard on the trans

of the record from the Supreme Court of the State of Oregon, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

342. The Chicago, Rock Island & Pacific Railway Co., Plaintiff in Error, vs. W. W. Beatty. In Error to the Supreme Court of the State of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings.

Per Mr. Chief Justice White.

739. The Roman Catholic Church of St Anthony of Padua, Jersey City, Appellant. vs. On consideration of the Petition for a writ of certiorari herein

States Circuit Court of Appeals for the Th
Circuit, and the argument of counsel there
had, as well in support of as against the
It is now here ordered by the Court that the
petition be, and the same is hereby, denied
per Mr. Chief Justice

739. The Roman Catholic Church of St. Anthony of Padua, Jersey City. Appellant, vs. The Pennsylvania Railroad Co.

Our consideration of the motion advance this cause, It is here ordered the Court that said motion be, and the same is hereby, denie
per Mr. Chief Justice Wh

739. The Roman Catholic Church of St. Anthony of Padua, Jersey City. Appellant, vs. The Pennsylvania Railroad Co.

It is ordere by the Court that the Jurt consideration the motion dismiss be to cause be, and the same is hereby, postponed until the hearing of the cause on the merits
per Mr. Chief Justice Wh

978. American Water Softener Co., Appellant, vs. J. D. Lankford et al., comprising the State Banking Board of the State of Oklahoma, et al.

On consideratio of the motion advance this ca and argue th cause for hear

with case No. 929. It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice White

927. The United States, Plaintiff in Error, vs. Charles Lewis et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

932. The United States, Plaintiff in Error, vs. Elie Portale et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

990 The United States, Plaintiff in Error, vs. William C. Nixon et al., Receivers, etc. On consideration of the motion to advance this cause, It is now here or-

that said motion be, and the same is he
granted, and the cause assigned for arg
on Tuesday, October 13th next, after the
heretofore assigned for that day.

Per Mr. Chief Justice W

1052. Mortimer M. Eckan,
vs. Plaintiff in Error.
The State of Maryland.

On consid
of the moti
advance th
It is now
dered by the Court that said motion be,
the same is hereby denied

Per Mr. Chief Justice W

1027 John A. S. Brown et al.,
vs. Appellants,
Austin B. Fletcher, Testamentary Trustee, &c.,
The Provident Life & Trust Co., et al., Executors, etc.,

1028. vs. Appellants,
Austin B. Fletcher, Testamentary Trustee, &c.

It is order
the Court th
these cases b
placed on th
mary docket.

Per
Mr. Chief Justice

1039. Cornelia G. Goodrich et al.
vs. Petitioners.
The Houston Oil Co. of Texas et al.

On petition for wri
certiorari to the U
States Circuit Cou
Appeals for the Fi
Circuit.

On consideration of the petition for a w

certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1048. Monongahela River Consolidated Coal & Coke Co., Petitioner, vs. River & Rail Storage Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

1057. Eastern Oregon Land Co., Petitioner, vs. Willas River Land & Irrigation Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well

here ordered by this Court that the said pet
be, and the same is hereby, denied.

Per Mr. Chief Justice Wh

The Chief Justice announced that the Court
adjourn today until Monday, June 8, when m
tions and petitions for writs of certiorari will
received. No petitions for writs of certiorari
motions, except motions for admission to pra
will be received after that day. The Court w
then adjourn until Monday, June 15, on which
day it will adjourn for the term, unless it ma
be deemed best for the purposes of the busines
then already in the hands of the Court, and
adviserment, to fix another and later day of fi
adjournment.

686. The United States of America, Appellant, vs. H. U. Bartlett.

Mr. Solicitor Gener
Davis, of counsel fo
the appellant, subm
ted to the consider
tion of the Court a
motion to advance this cause.

1041. The United States, vs. Honorable Julius M. Mayer, Judge, &c.

Mr. Solicitor Gener
Davis, of counsel fo
The United States,
submitted to the co
sideration of the
Court a motion to advance this cause.

The United States. Plaintiff in Error.
vs.
1063 J. A. Reynolds
The United States. Plaintiff in Error.
1064 vs.
L. W. Broughton, etc.

Mr. Solicitor General Davis of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance these cases.

The United States ex rel. Edward L. Thott, Plaintiff in Error.
597 vs.
E. B. Moore, Commissioner of Patents, et al.

Mr. John W. Davis in behalf of Mr. Joshua R. H. Potts of counsel for the plaintiff in error, suggested the resignation of E. B. Moore as Commissioner of Patents, and the appointment of Thomas Ewing as his successor in said office, and moved the Court to make the said Thomas Ewing as Commissioner of Patents a party defendant in error in this cause. Whereupon, It is now here ordered by the Court that the said Thomas Ewing, Commissioner of Patents, be, and he is hereby, made a party defendant in error in this cause.

William H. Hotchkiss et al., Petitioners.
1076. vs.
L. K. Lyon.

The petition for a writ of certiorari herein was submit-

John Lord O'Brien in support of the same

1051. Warren E. Talbert, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward E. O'Brien in support of the same, and by Solicitor General Davis in opposition thereto.

966 John E. Roller, Plaintiff in Error, vs. Mary A. Murray et al. The motion to dismiss or affirm this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Holmes Conrad and Mr. Edward S. Conrad in support of the same, and by Mr. John E. Roller in opposition thereto.

1037. Nichols & Cox Lumber Co., Petitioner, vs. The United States. The petition for writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Ganson Taggart in support of the same, and Mr. Solicitor General Davis in opposition thereto.

1036. The Grand Rapids & Indiana Railway Co., Petitioner. vs. The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. James A. Campbell in support of the same, and Mr. Solicitor General Davis in opposition thereto.

1070. F. A. Williams, Trustee, etc., Petitioner. vs. George G. Friedrichs

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. E. D. Saunders and Mr. Giraud Farrar in support of the same.

1083. Allen Bolford Petitioner. vs. The United States

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Michael G. Kintz and Mr. Theodore F. Horstman in support of the same, and leave was granted Mr. Solicitor General Davis to file a brief in opposition thereto on or before Friday.

Ex parte: In the matter of Concepcion Vere y Dias, Jose Santano Belaval, her husband, et al.

Mr. Frederick S. Tyler, in behalf of Mr. Paul Charlton

Texidor, of counsel for the petitioner, sub
to the consideration of the Court a mot
for leave to file a petition for a writ of
damus in this cause

1058. Louis Steinberger. vs. Petitioner, General Electric Co. et al.

The petition for
of certiorari here
was submitted
consideration of
Court on printed

guments by Mr. William G. Johnson and
Charles H. Wilson in support of the mo
and Mr. Charles Neave and Mr. William
McKnight in opposition thereto

1000 Henry E. Meeker, Sole Surviving Partner, &c. Petitioner, vs. Lehigh Valley Railroad Co.

1001 Henry E. Meeker. Petitioner, vs. Lehigh Valley Railroad Co.

Mr. William
Glasgow, Jr., c
counsel for the
titioner, submi
to the consider
of the Court o
motion to advo
these cases.

1031. Missouri, Kansas & Texas Railway Co., Appellant, vs. L. E. Goodrich

The motion
dismiss or aff
in this cause
submitted to
consideration

the Court on the record and printed argu
ments by Mr. J. A. L. Wolfe on behalf of

same, and Mr Joseph M. Bryson in opposition thereto.

A. Emerson Crow as Administrator, &c., et al., vs. Grays Harbor Boom Co.,
91. Plaintiffs in Error.

The motion to set aside the judgment of dismissal in this cause, and reinstate the cause on the docket was submitted to the consideration of the Court, on printed arguments by Mr. Charles W. Needham in support of the same, and Mr. Charles T. Kendler in opposition thereto, and leave was granted Mr. Needham to file a reply brief within two days.

William J. Kahn. vs. The United States.
1060. Petitioner

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. David W. Kahn in support of the same, and Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace in opposition thereto

The Cincinnati Northern Railroad Co., vs. George E. Dillon.
930 Plaintiff in Error.

The motion to dismiss or affirm or to place this cause on the summary docket was

printed arguments by Mr. W. N. Dailey
part of the same, and Mr. Frank L. S
in opposition thereto.

527. Bob Kirkpatrick. Plaintiff in Error. vs. The State of Georgia. In Error to Court of A of the State Georgia.

It appearing to the Court that a motion
counsel for the plaintiff in error to dismis
writ of error in this cause has been filed,
fore in pursuance of said motion, it is
fore ordered and adjudged by this Court
the writ of error in this cause be, and the
is hereby, dismissed with costs.

Per Mr. Chief Justice

525 Succession of Ramon Perez Villamil, Appellant, vs. Maria de Jesus. Appeal from Supreme Cour of Porto Rico.

It appearing to the Court that a motion
counsel for the appellant to dismiss this ap
has been filed, Therefore, in pursuance of sa
motion. It is now here ordered, adjudged an
decreed by this Court that this appeal be, a
the same is hereby, dismissed with costs.

Per Mr. Chief Justice

Proclamation being made, the Court is adjo
until Monday, June

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph M'Kenna,
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices.
Charles E. Hughes
Willis Van Devanter
Mahlon Pitney.
J. M. Wright, Esquire, Marshal,
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis, it is ordered that Charles Warren, Esquire, of Dedham, State of Massachusetts; Wooda N. Carr, Esquire, of Uniontown, State of Pennsylvania; James J. Crossley, Esquire, of Fairbanks, Territory of Alaska; Claude R. Stone, Esquire, of Peoria, State of Illinois; Walter C. Chandler, Esquire, of Memphis, State of Tennessee, and Franklin Kennedy, Esquire, of Buffalo, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

behalf by Mr. Albert A. Walker, it is ordered that Kirby Fitzpatrick, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John D. Works, it is ordered that Edward T. Houghton, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. W. Marshall, it is ordered that Walter C. Benson, Esquire, of Wilmington, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isaac R. Nitt, it is ordered that Herbert M. Griffith, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor, it is ordered that N. C. Randolph, Esquire, of Rainview, State of Texas, be admitted to practice

and counsellor of this Court, and he was sworn accordingly.)

On motion first made to the Court in this behalf by Mr. F. D. McKenney, it is ordered that Thomas Mannix, Esquire, of Portland, State of Oregon; G. F. De Wein, Esquire, of Milwaukee, State of Wisconsin, and Jean Paul Muller, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. E. Raker, it is ordered that Grant B. Brittain, Esquire, of San Francisco, and N. P. Andrews, Esquire, of Red Bluff, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Walton Moore, it is ordered that F. Markoe Kinnius, Esquire, of Phila-delphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Hayes, it is ordered that

City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Will R. King, it is ordered that Eugene W. Burr, Esquire, of North Yakima, State of Washington, and Richard Norwood McCann, Esquire, of Portland, State of Oregon, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Boggs, it is ordered that Frank B. Shutts, Esquire, of Miami, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. R. Webster, it is ordered that Charles W. Corey, Esquire, of Escondido, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Willard Saulsbury, it is ordered that Hugh M. Morris, Esquire, of Wilmington, State of Delaware, be admitted to prac-

tice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William P. Borland, it is ordered that Ralph W. Snowden Hill, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Whelan, it is ordered that John A. Rine and J. A. C. Kennedy, Esquires, of Omaha, State of Nebraska, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Manuel L. Quezon, it is ordered that Felipe Buencamino, Jr., Esquire, of Manila, Philippine Islands, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. B. Tyler, it is ordered that William Dewey Loucks, Esquire, of Schenectady, State of New York, and Joseph

Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

207. Silas A. Gilson. vs. The United States. Appellant. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeal for the Ninth Circuit and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby remanded to the District Court of the United States for the Eastern District of Washington.

Per Mr. Justice Pitney.

325 Henry J. Grannis. vs. Albert L. Ordean, Margaret Sullivan, Alfred Jagues, Theodore T. Nudeau et al. Plaintiff in Error, In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court

by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney

326 Henry J. Grannis, (Plaintiff in Error) vs. Robert B. Whiteside et al. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Pitney

330 Charles W. Dale, Edward Rott and Henry Ampt, Trustees in Bankruptcy of David Kohrer, Bankrupt, Appellants, vs. Edward M. Sattison. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States

and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that the decree the said United States Circuit Court of A peals in this cause be, and the same is here affirmed with costs; and that this cause and the same is hereby remanded to the Dis trict Court of the United States for the Nor District of Ohio.

Per Mr. Justice Pitney

604. The Missouri, Kansas & Texas Railway Co. of Texas, Plaintiff in Error, vs. S. O. Harris.

In Error to the Justice Court, Pre cinct No. 6, Hop County, State of

This cause came on to be heard on the tran of the record from the Justice Court, Precinct 6, Hopkins County, State of Texas, and w argued by counsel. On consideration whereo It is now here ordered and adjudged by th Court that the judgment of the said Justice Court in this cause be, and the same is here affirmed with costs.

Per Mr. Justice Pitney

W. E. Johnson, J. E. Bruto and A. F. Coggeshall, Appellants, vs. Edwin Scarlett, L. J. Krammer, Fred E. Brinkman et al. Appeal from the District Court of the United States for the District of Minnesota.

No. 802.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said District Court with directions to dismiss the bill of complaint.

Per Mr. Justice Pitney,

Dissenting:
Mr. Justice McKenna
Mr. Justice Lurton.

Equitable Surety Co., vs. The United States of America to the use of W. McMillan & Son. On a certificate from the Court of Appeals of the District of Columbia.

No. 861.

This cause came on to be heard on a certificate from the Court of Appeals of the District

consideration whereof, It is the opinion of the Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said Court of Appeals.

per Mr. Justice Pitney.

288. Citizens Banking Co., vs. Ravenna National Bank of Ravenna, Ohio, and Cora M. Curtis. On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the questions certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice Van Devanter.

337. Louisville & Nashville Railroad Co., Appellant, vs. The Western Union Telegraph Co. Appeal from the District Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript

of the record from the District Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Van Devanter.

The Interstate Commerce Commission, The United States of America, Associated Jobbers of Los Angeles, and Pacific Coast Jobbers and Manufacturers Association,

vs.

Atchison, Topeka & Santa Fe Railway Co. Southern Pacific Co., and San Pedro, Los Angeles & Salt Lake Railroad Co.

Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of

the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California with directions to dismiss the bill.

Per Mr. Justice Hughes.

The Interstate Commerce Commission, The United States of America, Associated Jobbers of Los Angeles and Pacific Coast Jobbers and Manufacturers Association,

Appellants,

vs.

Southern Pacific Co. and The Atchison, Topeka & Santa Fe Railway Co.

Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be and the same is hereby, remanded to the District Court of the United States for the Northern District of California with directions to dismiss the bill.

Port Richmond and Bergen Point Ferry Co. vs. The Board of Chosen Freeholders of the County of Hudson.

In Error to the Court of Errors and Appeals of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Errors and Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes.

The City of Sault Ste. Marie, Andrew J. Short, Mayor, et al., vs. International Transit Co

Appellants,

Appeal from the District Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that

cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hughes.

Atlantic Coast Line Railroad Co., vs. The State of Georgia. Plaintiff in Error. In Error to the Court of Appeals of the State of Georgia.

24

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

568

Per Mr. Justice Hughes.

Houston East and West Texas Railway Co. and Houston and Shreveport Railroad Co. et al., vs. The United States, The Interstate Commerce Commission et al. Appellants. Appeal from the United States Commerce Court.

67

This cause came on to be heard on the tran-

Due consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Texas.

per Mr. Justice Hughes

Dissenting:
Mr. Justice Lurton
Mr. Justice Pitney.

The Texas & Pacific Railway Co., et al., vs. The United States. The Interstate Commerce Commission, et al.

Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Texas.

Dissenting: Mr. Justice Lurton, Mr. Justice Pitney.

364 The United States. Plaintiff in Error, vs. Buffalo Pitts Co. In Error to the United States Circuit Court of Appeals for the Second Circuit.

873

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of New York.

Per Mr. Justice Day.

381 The United States, Appellant, vs. The United Engineering and Contracting Co. Appeal from the Court of Claims.

874

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Day.

The United States, Appellant, vs. The First National Bank of Detroit, Minnesota

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Minnesota.

Per Mr. Justice Day

The United States, Appellant, vs. The Nichols-Chisolm Lumber Co. The Minnesota Trust Co. and William R. Lyon.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit

whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Minnesota.

Per Mr. Justice Day.

875. The United States, Appellant, vs. The Nichols-Chisolm Lumber Co., The Minneapolis Trust Co. and Hovey C. Clark. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Minnesota.

Per Mr. Justice Day.

Lazarus, Michel & Lazarus, composed of Henry L. Lazarus, Herman Michel and Eldon S. Lazarus, Appellants,
1012 vs.
Ezra P. Prentice, Ancillary Receiver of A. Musica & Son, and the individual members thereof, alleged bankrupts.

Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Day.

International Harvester Co. of America, Plaintiff in Error,
216 vs.
Commonwealth of Kentucky

In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now

that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Holmes.

Dissenting:
Mr. Justice McKenna
Mr. Justice Pitney

International Harvester Co. of America. Plaintiff in Error. vs. The Commonwealth of Kentucky.

In Error to the Court of Appeals of the State of Kentucky.

291.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Holmes.

Dissenting:

247 International Harvester Company of America. Plaintiff in Error. vs. The Commonwealth of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Holmes

Dissenting:
Mr. Justice McKenna
Mr Justice Pitney.

312 Keokee Consolidated Coke Co: Plaintiff in Error. vs. W.W. Taylor, Isaac Taylor, James Taylor and S. T. Wells, Partners in trade under the firm name and style of W.W. Taylor, Sons and Wells. In Error to the Supreme Court of Appeals of the State of Virginia.

script of the record from the Supreme Court of Appeals of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Keokee Consolidated Coke Co.
vs. Plaintiff in Error,
J. P. Kelly, A. P. Nickam and G. E. Wolver, Partners in trade under the firm name and style of Kelly, Nickam Co.

In Error to the Supreme Court of Appeals of the State of Virginia.

373

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

L. V. Mullen,
262 vs. Plaintiff in Error,
N. A. Simmons, Sheriff
of Johnston County,
Oklahoma, et al.

In Error to the
Supreme Court of
the State of Okla-
homa.

This cause came on to be heard on the tran-
script of the record from the Supreme Court of
the State of Oklahoma, and was argued by
counsel. On consideration whereof, It is now
here ordered and adjudged by this Court that
the judgment of the said Supreme Court in this
cause be, and the same is hereby, reversed with
costs; and that this cause be, and the same is
hereby, remanded to the said Supreme Court for
further proceedings not inconsistent with the
opinion of this Court.

Per Mr. Justice McKenna

Dissenting:
Mr. Justice Day.

International Harvester
Co. of America,
166 vs. Plaintiff in Error,
The State of Missouri on
the information of its Attorney
General.

In Error to the
Supreme Court
of the State of
Missouri.

This cause came on to be heard on the transcript
of the record from the Supreme Court of the

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

302. Stone, Sand & Gravel Co. and American Surety Co. of New York, Plaintiffs in Error, vs. The United States. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Louisiana, with directions to grant a new trial.

Per Mr. Justice Lurton.

(Announced by Mr. Chief Justice White.)

Florida East Coast Railway Co., Appellant,
383 vs. The United States, Interstate Commerce Commission, Railroad Commissioners of Florida et al.

Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Florida with directions to grant the prayer of The East Coast Line and restrain the enforcement of the order in question.

per Mr. Chief Justice White

Manhattan Life Insurance Co. of New York, and United States Fidelity and Guaranty Co., Plaintiffs in Error,
160 vs.
David Cohen, Independent Executor of the estate of Jacob Cohen, deceased.

In Error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas

script of the record from the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

New York Life Insurance Co., Plaintiff in Error, vs. Mary E. Read. In Error to the Supreme Court of the State of Missouri.

254.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice White

New York Life Insurance Co., Plaintiff in Error, vs. Richard G. Reed, Jr., by his next friend, B. F. Deakenay. In Error to the Supreme Court of the State of Missouri.

255

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice White

Cleve W. Van Dyke, Plaintiff in Error, vs. Cordova Copper Co., In Error to the Supreme Court of the State of Arizona.

135

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arizona, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White

The Texas & Pacific Railway Co. vs. American Tie & Timber Co., Limited. — Plaintiff in Error. — In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

180

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Texas for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice White

Dissenting:
Mr. Justice Pitney.

Commonwealth of Virginia, Complainant, vs. State of West Virginia. — Original. — On consideration of the motion of the defendant for leave to file a supplemental answer herein and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted; and that the argument in

2.

be, and the same shall be considered as traversed by the State of Virginia; that the subject matter of the supplemental answer as traversed be at once referred for consideration and report to Charles E. Littlefield, Esq., the Master before whom the previous hearings were had, with directions to hear and consider such evidence and testimony as to the matters set forth in the supplemental answer as the State of West Virginia may deem advisable to proffer and such counter showing on the part of the State of Virginia as that State may deem advisable to make. The report on the subject to embrace the testimony so taken, and the conclusions deduced therefrom as well as the views of the Master concerning the operation and effect of the proof thus offered, if any, upon the principal sum found to be due by the previous decree of this Court. Nothing in this order to vacate or change in any manner or in any particular the previous decree, and the same to stand wholly unaffected by the order now made or any action taken thereunder until the examination and report herein provided for is made and this Court acts upon the same. It is further directed that the proceedings before the Master be so conducted as to secure a report on or before the second Monday of October, 1914.

Per Mr. Chief Justice White

Ex parte: In the matter of Concepcion Vere y Diaz, Jose Bastiano Belaval, her husband, et al. Petitioners.

Original

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

per Mr. Chief Justice White

A. Emerson Cross, as Administrator of the Estate of J. P. O. Lourndale, deceased, et al., Plaintiffs in Error,

91 vs.

Grays Harbor Boom Co.

On consideration of the motion to set aside the judgment of dismissal herein; and to reinstate this cause on the docket, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

per Mr. Chief Justice White.

United States of America, Appellant,

686 vs.

N. U. Bartlett and Theodore G. Lashley.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice White

1041 The United States, vs. Hon. Julius M. Mayer, Judge of the District Court of the United States for the Southern District of New York

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice White.

1063 The United States vs. J. A. Reynolds. Plaintiff in Error.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice White.

1064 The United States vs. G. W. Broughton, alias Gideon W. Broughton. Plaintiff in Error.

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby

on Tuesday, October 13th next, after the cas
before assigned for that day.

Per Mr. Chief Justice W

1000 Henry E. Meeker, surviving partner of the firm of Meeker & Company, vs. Petitioner
Lehigh Valley Railroad Co.

1001 Henry E. Meeker, vs. Petitioner,
Lehigh Valley Railroad Co.

On consideration
the motion to
there cause. It
there ordered by
Court that said
tion be, and the
is hereby, grante
and the cases a
for argument on

Tuesday, October 13th next, after the cases
before assigned for that day.

Per Mr. Chief Justice W

1036 The Grand Rapids & Indiana Railway Co., vs. Petitioner
The United States.

On petition for writ
certiorari to the Uni
States Circuit Court
Appeals for the Sixt
Circuit.

On consideration of the petition for a writ
certiorari herein to the United States Circuit
Court of Appeals for the Sixth Circuit, and
the argument of counsel thereupon had, as w
on support of as against the same. It is now
there ordered by the Court that said petitio
be, and the same is hereby, denied.

Per Mr. Chief Justice W

1037. Nichols & Cox Lumber Co., Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

1051 Warren E. Talbert, Petitioner vs. The United States. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

1058 Louis Steinberger, Petitioner, vs. General Electric Co. and Edward M. Newell. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice White.

1060 William J. Kahn, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

F. A. Williams, Trustee. of Harry D. Brown, Bankrupt. Petitioner
1076 vs.
George C. Friedrichs

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

William N. Nolichkis and Edward F. Walsh. Petitioners.
1076 vs.
L. K. Lynn.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice White

1083 Allen Bolsford, Petitioner vs. The United States

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Order

It is ordered by the Court that the bond presented by the Marshal for the performance of his duties be filed and recorded.

Per Mr. Chief Justice White

Said bond is in the following words and figures, to wit:

Know all men by these Presents: That John Montgomery Wright, of Louisville, Kentucky, as principal, and The United States Fidelity and Guaranty Company, a corporation created and existing under the laws of the State of Maryland, as surety, are held and firmly bound unto The United States of America in the penal sum of Twenty Thousand ($20,000) dollars, lawful money of the United States, to be paid to the said United States, or their certain attorney,

s which payment well and truly to be made,
we bind ourselves, our and each of our heirs,
executors, administrators, and assigns, jointly
nd severally, firmly by these presents.

Sealed with our seals and dated this 8th
lay of June, 1914.

Whereas, the above bounden John Montgomery
Wright, hath been appointed Marshal of the
Supreme Court of the United States;

Now, therefore, the condition of the above obliga
ion is such that if the said John Montgomery
Wright shall faithfully discharge the duties of
ii said office, and shall well and faithfully
eep, disburse, pay over and account for accord-
g to law, the moneys that may come into his
ands as such Marshal aforesaid; then this
bligation to be void, otherwise to remain in full
orce and virtue in law.

(Signed) John Montgomery Wright.
(Seal)

tnesses:
igned) M. C. Tompkins.
igned) Frank K. Green.
igned) C. M. Sale.
igned) C. M. Sweeney.

United States Fidelity
& Guaranty Company.
(Seal)
(Signed) By Wm. L. Swormstedt
Attorney-in-fact.

The within and foregoing bond is hereby ap
roved as to form, the sufficiency of the amount there-
and the sufficiency of the surety thereon

(Signed) Edward D. White.
Chief Justice of the United States.

Monday, June 5th, 1911. continued.

890. The United States. vs. Plaintiff in Error. John Wigger, alias "Moore, John." — Mr. Solicitor General Davis, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

1096. The United States. vs. Plaintiff in Error. N. A. Salen. — Mr. Solicitor General Davis, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

1105. The United States. vs. Appellant. The Delaware, Lackawanna & Western Railroad Co. — Mr. Solicitor General Davis, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

1021. The United States, vs. Appellant, Benjamin F. Jones, etc. — Mr. Solicitor General Davis, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause and assign the same for argument on the first Monday in December next.

Rail & River Coal Co., vs. Appellant. Wallace D. Yaple et al. &c. The motion for a restraining order in this cause was submitted to the consideration of the Court on printed arguments by Mr. A. C. Dustin in support of the same, and Mr. Timothy S. Hogan, and Mr. Clarence D. Lay-lin in opposition thereto

Cudahy Packing Co., vs. Petitioner. Grand Trunk Western Railway Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr Archer B Hayes, Mr. Charles B. Morrison and Mr. Wells M. Cook in support of the same.

Holman A. Drew, Sheriff, Appellant, vs. Harry Kendall Thaw The motion to admit the appellee herein to bail pending this appeal was submitted to the consideration of the Court on a printed argument by Mr. William A. Stone, of counsel for the appellee, and leave was granted counsel for the appellant to file a brief in opposition thereto on or before Friday next.

1017 W. S. Farish. vs. Appellant, State Banking Board of the State of Oklahoma et al.
1018 State Banking Board of the State of Oklahoma et al. vs. Appellants. W. S. Farish.

Mr. Amos L. Beaty, of counsel for the appellant in No. 1017, and the appellee in No. 1018, submitted to the consideration of the Court a motion to advance this cause.

1109 Nahona Stayton, Petitioner, vs. The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Theodore Mack in support of the same, and leave was granted Mr. Solicitor General Davis to file a brief in opposition thereto within three days, if so advised.

1095 The Davidson Steamship Co., Petitioner, vs. The Western Transit Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank S. Masten and Mr. Harvey D. Goulder in support of the same, and Mr. George Clinton, Jr. in opposition thereto.

Joseph F. Guffey et al.,
vs. Petitioners.
James A. Smith et al
Joseph F. Guffey et al.
vs. Petitioners.
Susannah Smith et al.

Mr. Joseph W. Bailey, acting in behalf of certain of the respondents herein, submitted to the consideration of the Court a confession of error and consent that the judgment of the United States Circuit Court of Appeals for the Seventh Circuit be reversed and the judgment of the District Court of the United States for the Eastern District of Illinois be affirmed as to said certain respondents.

Charles Kaplan, et al.,
vs. Petitioners.
Isaac E. Leach, Trustee,
&c., et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Joseph Grow in support of the same, and leave was granted Mr. Solicitor General Davis to file a brief in opposition thereto within three days, and so advised.

Thomas D. Thomas,
vs. Petitioner,
South Butte Mining Co.

Mr. S. S. Wells, in behalf of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file and prosecute a petition for a writ of

Mary Genevieve Pinnell, Administratrix, &c., vs. Philadelphia & Reading Railway Co. — Plaintiff in Error. — Mr. George Denmung of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to modify the mandate in this cause. 1169

Walker Waldin, vs. Walter R. Comfort — Petitioner. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. A. Boggs in support of the same, and Mr. Frank B. Shutts in opposition thereto. 1093

Commonwealth of Virginia, Complainant, vs. State of West Virginia — Original. — Mr. W. A. Anderson, of counsel for the complainant herein, submitted to the consideration of the Court a motion to modify the order of the Court of this date as to the hearing before the Master. 2

Adams Express Co., vs. William H. Windolph to the use of Leon Weiner and Isaac Garson, trading as Weiner & Garson — Plaintiff in Error. — In Error to the Supreme Court of the State of Pennsylvania. 187

It appearing to the Court that a stipulation

of counsel for the respective parties herein to reverse the judgment of the Superior Court of the State of Pennsylvania in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Superior Court for further proceedings.

Per Mr. Chief Justice White

Proclamation being made, the Court is ad-

Monday, June 5th, 1911

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Edward D. White, Chief Justice
Joseph McKenna
Oliver Wendell Holmes
William R. Day Associate
Horace H. Lurton Justices.
Charles E. Hughes.
Willis Van Devanter
J. M. Wright, Esquire, Marshal.
James D. Maher, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Davis it is ordered that James E. Smitherman, Esquire, of Shreveport, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Hamilton Lewis, it is ordered that Horace W. Vaughan, Esquire, of Texarkana, State of Texas, and Arthur R. Wolfe, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas S. Crago, it is ordered that William J. Kyle, Esquire, of Waynesburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Wallace, Jr., it is ordered that Harry B. Tedrow, Esquire, of Boulder, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Addison T. Smith it is ordered that George C. Kuebener, Esquire, of Boise, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ira Bronson, it is ordered that James A. Drain, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John S. Baxter, it is ordered that James P. Barnes, Esquire, of [illegible]

State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Calvin T. Milam, it is ordered that Frank L. Peckham and Frank Van Sant, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George N. Brown, it is ordered that Ross D. Ryndes, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 1105

On motion first made to the Court in this behalf by Mr. Charles L. Trailey, it is ordered that Lewis Henry Machen, Esquire, of Alexandria, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Evans Browne, it is ordered that W. N. Newbold, Esquire, of Chester, State of South Carolina; Clinton D. Boyd, Esquire, of Middletown, State of Ohio, and Emerson S. 1104

Willis, Esquire, of Ashland, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in their behalf by Mr. William A. Stone, it is ordered that Merrill Shurtleff, Esquire, of Lancaster, State of New Hampshire, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Holman A. Drew, Sheriff of Coos County, State of New Hampshire, Appellant, vs. Harry Kendall Shaw.

On consideration of the motion to admit the appellee to bail pending this appeal, and the motion for an order directing the appellant, Drew, Sheriff, to take said appellee to Pittsburgh, Pennsylvania, as prayed in the supplemental petition filed herein, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

Per Mr. Chief Justice White

Pocahontas Fuel & River Coal Co., Appellant, vs. Wallace D. Yaple et al., as the Industrial Commission of Ohio.

On consideration of the motion for a restraining order herein, and of the

sel thereupon had, as well in support of as against the same. It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

per Mr. Chief Justice White

381 The United States, Appellant, vs. The United Engineering & Contracting Co. On motion of Mr. John Spalding Flannery, of counsel for the appellee, It is ordered by the Court that leave be, and the same is hereby, granted the Clerk to issue the mandate in this cause.

Proclamation being made, the Court is adjourned until Monday next, at twelve o'clock M.

Monday, June 22d, 1914.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Edward D. White, Chief Justice,
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Horace H. Lurton
Charles E. Hughes
Willis Van Devanter
Mahlon Pitney
J. M. Wright, Esquire, Marshal
James D. Maher, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. G. Carroll Todd, it is ordered that Marcus S. Hottenstein, Esquire, of Allentown, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julius Kahn, it is ordered that William Charat, Esquire, of Boston, State of Massachusetts, and John J. Lermen, Esquire, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harvey M. Friend, it is ordered that Frederick C. Dezendorf, Esquire, of Berkeley, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Bride, it is ordered that J. Paul Thompson, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Barry Mohun, it is ordered that Jorge V. Dominguez, Esquire, of San Juan, Porto Rico, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward E Browne, it is ordered that Henry Mahoney, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Sylvester L. McLaurin, it is ordered that John D. Drake, Esquire, of Boston

tate of Iowa, be admitted to practice as an
ttorney and counsellor of this Court, and he
as sworn accordingly.

On motion first made to the Court in this
behalf by Mr. A. A. Hocking, Jr., it is ordered
hat Walter M. Campbell, Esquire, of Los
ngeles, State of California, be admitted to
ractice as an attorney and counsellor of
is Court, and he was sworn accordingly.

seph Hull, The Prairie
bble Phosphate Co., and
e Savannah Trust Co.,
Appellants,
vs.
chen E. Burr, Frank
Simpson and J. Howard
dwards.

Appeal from the
United States Cir-
cuit Court of Ap-
peals for the First
Circuit.

This cause came on to be heard on the tran-
ipt of the record from the United States
ircuit Court of Appeals for the First Circuit
d was argued by counsel. On consideration
ereof, It is now here ordered, adjudged and
reed by this Court that the decree of the
d United States Circuit Court of Appeals
this cause be, and the same is hereby, af-
med with costs; and that this cause be,
the same is hereby, remanded to the Dis-
t Court of the United States for the District

826 Southern Railway Co. vs. D. E. Crockett. Plaintiff in Error. In Error to the Supreme Court of the State of Tenn.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Tennessee.

Per Mr. Justice Pitney.

966 John E. Roller vs. Mary A. Murray, Holmes Conrad, Trustee; George A. Wheelock et al. Plaintiff in Error. In Error to the Supreme Court of Appeals of the State of West Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Pitney.

Chapman & Dewey Lumber Co., et al., Plaintiffs in Error. vs. The Board of Directors of St. Francis Levee District

On consideration of the motion for leave to file Petition for rehearing herein. It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Justice Van Devanter.

Edmund Burke, vs. The Southern Pacific Railroad Co. and The Kern Trading & Oil Co. A. I. Lamprecht and F. M. Aiken, Trustees. vs. The Southern Pacific Railroad Co., The Kern Trading & Oil Co., and J. S. Minot.

On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof it is the opinion of this Court that the questions certified must be answered as stated in the opinion. Whereupon, It is now here ordered by this Court that it be so certified to

the said United States Circuit Court of Appeals.

Per Mr. Justice Van Devanter

35 Patrick Collins, Plaintiff in Error. vs. The Commonwealth of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Hughes.

36 Thomas Malone, Plaintiff in Error. vs. The Commonwealth of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court

that the judgment of the said Court of Appeals in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Hughes.

361 Arthur L. Selig, Plaintiff in Error, vs. Charles E. Hamilton, as Receiver of Evans, Johnson, Sloane Co. } In Error to the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of New York.

Per Mr. Justice Hughes.

267. The Order of St. Benedict of New Jersey, Petitioner, vs. Albert Meinhauser, Individually and as Administrator, etc., of Augustin Wirth, deceased. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs, and that the decree of the Circuit Court of the United States for the District of Minnesota be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Minnesota.

Per Mr. Justice Hughes.

338. Will Jones, Plaintiff in Error, vs. Marguerite Jones and her husband, Albert Jones. In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the tran-

script of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lurton.

The State of Louisiana, Complainant.
ex rel. vs.
William Gibbs McAdoo, Secretary of the Treasury of the United States, and Charles S. Hamlin, Assistant Secretary of the Treasury of the United States.

On consideration of the motion for leave to file the bill of complaint herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said motion be, and the same is hereby, denied

Per Mr. Justice Lurton.

Moore-Mansfield Construction Co., Appellant
vs. Appeal from the
Electrical Installation Co. District Court of
William A. Guthrie, Attorney the United States
Electrical Co. et al. for the District of Indiana.

This cause came on to be heard

script of the record from the District Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Lurton.

297 International Harvester Company of America, Plaintiff in Error, vs. The Commonwealth of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Day,

298 International Harvester Company of America, Plaintiff in Error, vs. The Commonwealth of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the tran-

332

cript of the record from the Court of Appeals
f the State of Kentucky, and was argued by
ounsel. On consideration whereof, It is now
ere ordered and adjudged by this Court
hat the judgment of the said Court of Ap
eals in this cause be, and the same is here
y reversed with costs; and that this cause
e, and the same is hereby, remanded to the
aid Court of Appeals for further proceedings
ot inconsistent with the opinion of this Court.

Per Mr. Justice Day.

The Louisville & Nashville Railroad Co., Plaintiff in Error, vs. Joe Heydon, doing business under the firm name of Crescent Coal Co. | In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the tran
ipt of the record from the Court of Appeals
the State of Kentucky, and was argued by
ounsel. On consideration whereof, It is now
ere ordered and adjudged by this Court
at the judgment of the said Court of Ap
eals in this cause be, and the same is
ereby affirmed with costs.

Per Mr. Justice Day.

511 The Eastern States Retail Lumber Dealers' Association, et al., Appellants, vs. The United States. William C. MacBride, Individually and as President of the Retail Lumbermen's Association of Philadelphia, et al., Appellants, vs. The United States. 550

Appeals from the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Day. 481

555 Western Union Telegraph Co., Plaintiff in Error, vs. William Brown and Rosa Brown, his wife.

In Error to the Supreme Court of the State of South Carolina

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was ar-

gued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Holmes.

The United States of America, Interstate Commerce Commission and Compagnie Refining Co., vs. The Ohio Oil Co. Appellants, Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Ohio with directions to dismiss the petition.

per Mr. Justice Holmes

Concurring in part: Dissenting:

The United States and Interstate Commerce Commission. vs. Standard Oil Co. 1182. Appellants.

Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of New Jersey with directions to dismiss the petition.

Per Mr. Justice Holmes

Concurring in part:
Mr. Chief Justice White

Dissenting:
Mr. Justice McKenna

516.

The United States of America and Interstate Commerce Commission. vs. Standard Oil Co. of Louisiana. 1183. Appellants,

Appeal from the United States Commerce Court.

This cause came on to be heard on the tran-

script of the record from the United States Commerce Court, and was argued by coun-sel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, re-versed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Louisiana with directions to dismiss the peti-tion

per Mr. Justice Holmes.

Concurring in part:
Mr. Chief Justice White
Dissenting:
Mr. Justice McKenna.

The United States of America and Interstate Commerce Commission. Appellants, vs. The Prairie Oil & Gas Co. Appeal from the United States Commerce Court.

This cause came on to be heard on the tran-script of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here or-dered, adjudged, and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby reversed;

hereby, remanded to the District Court of the United States for the District of Kansas with directions to dismiss the petition.

Per Mr. Justice Holmes.

Concurring in part:
Mr. Chief Justice White

Dissenting:
Mr. Justice McKenna

305

The United States of America and Interstate Commerce Commission. Appellants.
vs. Appeal from the United States Commerce Court.
The Uncle Sam Oil Co.

307

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, affirmed. It is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Kansas.

Per Mr. Justice Holmes.

The United States of America, Interstate Commerce Commission and Willsville Refining Co.,

vs.

Robert D. Benson et al., partners, doing business under the partnership name of The Tidewater Pipe Co., Limited.

Appeal from the United States Commerce Court.

Appellants

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Pennsylvania with directions to dismiss the petition.

Per Mr. Justice Holmes

Concurring in part:
Mr. Chief Justice White

Dissenting:
Mr. Justice McKenna

Charleston and Western Carolina Railway Co. vs. Lizzie Thompson — Plaintiff in Error — In Error to the Court of Appeals of the State of Georgia.

751

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Holmes.

Charleston and Western Carolina Railway Co. vs. George Thompson. — Plaintiff in Error. — In Error to the Court of Appeals of the State of Georgia.

752.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this

cause be, and the same is hereby remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Holmes.

Franklin K. Lane, Secretary of the Interior, and Clay Tallman, Commissioner of the General Land Office, Appellants, vs. Cornelius C. Watts, Dabney C. T. Davis, Jr., John Watts and James W. Broom

Appeal from the Court of Appeals of the District of Columbia.

889.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

179. The People of the State of Illinois on the relation of Edward F. Dunne, Governor, and Patrick J. Lucey, Attorney General, Plaintiffs in Error, vs. The Economy Light & Power Co. — In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice McKenna.

135. Missouri Pacific Railway Co., Plaintiff in Error, vs. F. D. Larabee and F. S. Larabee, partners in business under the style and firm-name of The Larabee Flour Mills Co. — In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court

136.

that the judgment of the said Supreme
Court in this cause be, and the same is
hereby, reversed with costs; and that the
cause be, and the same is hereby, remanded
to the said Supreme Court for further proceed-
ings not inconsistent with the opinion of
this Court.

Per Mr. Chief Justice White

The United States of America. Appeal from
Interstate Commerce Commis- the United
sion et al., States Commerce
vs. Appellants, Court.
Atchison, Topeka & Santa
Fe Railway Co. et al.

This cause came on to be heard on the tran-
script of the record from the United States
Commerce Court, and was argued by counsel
On consideration whereof, It is now here or-
dered, adjudged and decreed by this Court
that the decree of the said Commerce Court in
this cause be, and the same is hereby, reversed.
And that this cause be, and the same is hereby
remanded to the District Court of the United
States for the District of ~~Kansas~~ Nevada with direc-
tion to dismiss the bill for want of equity

Per Mr. Chief Justice White

* Corrected by order of Nov. 9, 1914.
J. D. M.

The United States of America Interstate Commerce Commission et al., Appellants, vs. Atchison, Topeka & Santa Fe Railway Co., et al. Appeal from the United States Commerce Court

162

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of ×Nevada with directions to dismiss the bill for want of equity.

Per Mr. Chief Justice White

× Corrected by order of Nov. 9, 1914.

163

The United States of America Interstate Commerce Commission et al., Appellants, vs. Union Pacific Railroad Co., et al. Appeal from the United States Commerce Court.

137

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here

ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Nebraska with directions to dismiss the bill for want of equity.

Per Mr Chief Justice White

The United States of America Interstate Commerce Commission et al., Appellants, vs. Union Pacific Railroad Co., et al. Appeal from the United States Commerce Court.

This cause came on to be heard on the transcript of the record from the United States Commerce Court, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Commerce Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Nebraska with directions to dismiss the bill for want of equity.

Per Mr. Chief Justice White

930 The Cincinnati, Northern Railway Co., vs. George E. Dillon — Plaintiff in Error. — In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White

1031 Missouri, Kansas & Texas Railway Co., vs. L. E. Goodrich — Appellant, — Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice White.

Thomas D. Thomas, Petitioner. vs. South Butte Mining Co. — On consideration of the motion for leave to file and prosecute a petition for a writ of certiorari in this cause in forma pauperis. It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Joseph F. Guffey et al., Petitioners, vs. James A. Smith et al. / Joseph F. Guffey et al., Petitioners vs. Susannah Smith et al. — On consideration of the motion to enter judgments of reversal on confession of error by certain of the respondents herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied without prejudice to a renewal of the same at the next term, if counsel be so advised, after notice to all parties concerned.

Per Mr. Chief Justice White.

Mary Genevieve Pennell, Administratrix, etc., Plaintiff in Error, vs. Philadelphia & Reading Railway Co. — On consideration of the motion to modify the mandate of this Court in this cause, It is now here ordered

is hereby, denied without prejudice to an application to the District Court, if counsel be so advised

Per Mr. Chief Justice White

890 The United States, Plaintiff in Error, vs. John Wegger, alias "Moose John."

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

1096. The United States, Plaintiff in Error, vs. N. A. Salen

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice White

1108. The United States, Appellant, vs. The Delaware, Lackawanna & Western Railroad Co.

On consideration of the motion to advance this cause, It is now here

ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice White

The United States, Appellant,
vs.
Benjamin F. Jones et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday in December next.

Per Mr. Chief Justice White.

W. S. Farish,
vs. Appellant,
State Banking Board of the State of Oklahoma et al.

State Banking Board of the State of Oklahoma et al.,
vs. Appellants,
W. S. Farish.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on Tuesday, October 13th next, with cases Nos. 929 and 978.

Per Mr. Chief Justice White.

1093. Walter Waldin. vs. Walter R. Comfort. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

1095. The Davidson Steamship Co. vs. The Western Transit Co. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Cudahy Packing Co. vs. Grand Trunk Western Railway Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Mahona Stayton, Petitioner, vs. The United States. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White

Charles Kaplan and Max Kaplan,
1110 vs. Petitioners.
Isaac E. Leech, Trustee of the bankrupt estate of Charles Kaplan and Max Kaplan, and The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

Franklin K. Lane, Secretary, etc., et al.,
887 vs Appellants,
Cornelius C. Watts et al.

On motion of Mr. Solicitor General Davis, of counsel for the appellants, It is ordered by the Court that leave be, and the same is hereby granted to print a petition for rehearing in this cause within thirty days.

The Texas & Pacific Railway Co.,
180 vs Plaintiff in Error.
American Tie & Timber Co. Ltd.

On motion of Mr. John W. Davis, on behalf of counsel for the defend-

aut in error. It is ordered by the Court that leave be, and the same is hereby, granted to present a petition for rehearing in this cause within sixty days.

Moore-Mansfield Construction Co.,
358. vs. Appellant,
Electrical Installation Co., et al.

On motion of Mr. Charles L. Frailey, in behalf of counsel for the appellant, It is ordered by the Court that leave be, and the same is hereby, granted to present a petition for rehearing in this cause within thirty days.

Erie Railroad Co.,
274. vs. Plaintiff in Error,
John Williams, Commissioner of Labor, etc.

On motion of Mr. Frederic D. McKenney, of counsel for the plaintiff in error, It is ordered by the Court that leave be, and the same is hereby, granted to present a petition for rehearing in this cause within thirty days.

Henry J. Grannis,
320 vs. Plaintiff in Error.
Albert L. Ordean et al.
Henry J. Grannis,
326 vs. Plaintiff in Error.
Robert L. Whiteside et al.

On motion of Mr. Frederic D. McKenney, of counsel for the plaintiff in error, It is ordered by the Court that leave be,

hereby, granted to present a petition for rehearing in this cause within thirty days.

802. W. E. Johnson et al., vs. Edwin Gearlds et al — Appellants, — On motion of Mr. Levi Cook, in behalf of counsel for the appellees, It is ordered by the Court that leave be, and the same is hereby, granted to present a petition for rehearing in this cause within sixty days. — 521.

297. International Harvester Co. of America, vs. The Commonwealth of Kentucky — Plaintiff in Error. — On motion of Mr. John K. Graves, in behalf of counsel for the plaintiff in error. It is ordered by the Court that leave be, and the same is hereby, granted to present a petition for rehearing in this cause within thirty days.

455. Ellen M. Morse et al., vs. N. Rozier Dulany, Trustee in Bankruptcy of the late Thomas E. Waggaman — Appellants, — Appeal from the Court of Appeals of the District of Columbia. — 841.

It appearing to the Court that a motion of counsel for the appellants to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and

decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

The National Council Junior Order United American Mechanics, vs. Martha Brown, formerly Ringo. Plaintiff in Error. In Error to the Court of Appeals of the State of Kentucky.

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore in pursuance of said motion, It is now hereby ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White

Antonio Balasquide Gomez, vs. Enrique Camacho, represented by his mother Martina Camacho. Appellant, Appeal from the Supreme Court of Porto Rico.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed. Therefore, in pursuance of said stipulation, it is now here ordered, adjudged

and the same is hereby, dismissed without costs to either party.

Per Mr. Chief Justice White.

Order.

It is now here ordered by the Court that all the cases on the docket not decided and all the other business of the term not disposed of be, and the same are hereby, continued to the next term.

Per Mr. Chief Justice White.

Proclamation being made, the Court is adjourned to the time and place appointed by law.